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No. 67

House of Representatives

The House met at 9 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Eternal Father, You have taught us that even good leaders must themselves be led; that wise legislators must themselves have a wiser guide; that wielders of power must themselves serve under a higher power. Be to all in this Chamber that leader, wise guide, and higher power.

Grant to the Speaker of the House of Representatives and to all who serve or have served here as Members, as to all in positions of public trust, that lofty vision, deeper wisdom and that stewardship of power that will lead this Nation to peace and prosperity and bring true righteousness and lasting justice upon this Earth.

Such gifts come from You alone, Heavenly Father, so we turn to You, both now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. DELAY) come forward and lead the House in the Pledge of Allegiance.

Mr. DeLAY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECESS

The SPEAKER. Pursuant to the order of the House of Thursday, May 12, 2005, the House will stand in recess sub-

ject to the call of the Chair to receive the former Members of Congress.

Accordingly (at 9 o'clock and 3 minutes a.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF FORMER MEMBERS OF CONGRESS

The Speaker of the House presided.

The SPEAKER. First of all, I want to say good morning. On behalf of the House of Representatives, I am very pleased to welcome you all back. Some of you served before the time I was here; some of you were colleagues that I had the great honor to serve with.

Meetings like this present a unique opportunity. We get to tell you everything that we are doing here, and you get to tell us everything we are doing wrong. You become more seasoned as former Members, and we certainly appreciate that. Seriously though, I am always glad to see this group and hear about all the great things that each of you continues to do for our Nation.

My good friend from the Midwest, Dan Coats, somebody who I attended college with deep in the Midwest, is one of those people. He started his career representing Indiana in the House of Representatives. Dan then moved on to the Senate, where he served for 10 years until 1999, and then served as ambassador to Germany from 2001 until February of this year. Dan is certainly a worthy choice to receive the Distinguished Service Award, and I would like to extend to him my sincere congratulations.

This organization serves a valuable purpose. From your work on college campuses teaching young people about the value of public service, to your work abroad in places like Germany and Japan, you spread the good news about the importance of our democratic government and our institutions.

I had the opportunity last week to meet with a delegation of former Mem-

bers who spent a great deal of the time around their holiday and before in the Ukraine trying to make a difference, trying to help a fledgling nation really bring about the birth of democracy. They were successful.

Just yesterday here in the House we announced Members to serve on the House Democracy Assistance Commission. These are Members who are going to go out and work with emerging democracies. They are going to provide expert advice to parliaments and to parliamentarians in selected countries, and one day they can bring those experiences and that expertise to your organization as well. It is our vision that your experience, your expertise begin to meld and blend with what these Members of Congress are trying to do. So you see, our goals really do mirror one another.

I want to thank you once again for your continuing work on behalf of the American people.

Before requesting that the gentleman from Kansas, Mr. Slattery, vice president of the Former Members Association take the chair, the Chair recognizes the distinguished majority leader, the gentleman from Texas (Mr. DeLAY).

Mr. DeLAY. Thank you, Mr. Speaker. I appreciate the words that you just spoke in honoring our former Members that are here today, and some that are here in spirit.

Friends and honored guests, I want to welcome you back home. It is an honor to have back again the Association of Former Members of Congress, a very esteemed organization. I have to tell you, Ms. PELOSI has been encouraging me to join your organization for some time now.

Former Members Day is always a treat for me, because when you put 2 decades of your life into an institution, it is always reinvigorating to see so many friendly faces from days and battles gone by. As I look at both sides of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H3559

the aisle, Beryl Anthony is here, who showed me kindness. As a freshman I walked in, and he as a Democrat actually wanted to meet me and wanted to work with me.

Jim Slattery and Dan Coats had a great deal to do in changing my heart; Leader Michel, who tried to teach me patience; Bill Alexander really taught me a lot about the legislative process; and Ron Mazzoli sent a grandchild to my district, which I greatly appreciate. He is not voting yet, but we are working on him.

We did not always agree on everything back then, and I suppose we still do not; but the fact is we are all part of the same heritage of service to this body and to this Nation. No matter how long you have served or when, if you have sat in this Chamber, you helped write at least a bit of America's history. Much more importantly, by staying active in the Association of Former Members, you are still serving your country and still helping to make history.

In your post-congressional careers, many of you have gone on to bigger and better things. There is life after Congress, and we understand that. Many of you have stayed in Washington and served here, and others have returned home to do the same. But regardless of where you are and how you are spending your time, everyone left behind here in Congress still feels your presence and still builds on the legacies that you have left here.

So, I, for one Member, thank you all for staying involved, for the work you do around the world, and for your continued service to this House and to this Nation.

Thank you all, and God bless you.

The SPEAKER. I now recognize the gentleman from Kansas.

Mr. SLATTERY (presiding). Mr. Speaker, thank you very much, and, Mr. Leader, thank you also for your kind words. It is great to see both of you. We deeply appreciate the leadership and the support that you have given our association as we move forward with the work that we are attempting to do around the world and here in the United States with the Congress to Campus Program. So thank you very much for also helping coordinate this event here today. It is good to see you.

At this time, I would like to recognize the Clerk of the House for the purpose of calling the role.

The Clerk called the roll of the former Members of the Congress, and the following former Members answered to their names:

FORMER MEMBERS OF CONGRESS PARTICIPATING
IN 35TH ANNUAL SPRING MEETING THURSDAY,
MAY 19, 2005

Bill Alexander (Arkansas)
Beryl Anthony (Arkansas)
Jim Bates (Ohio)
J. Glenn Beall (Maryland)
Jim Broyhill (North Carolina)
John Buchanan (Alabama)
Jack Buechner (Missouri)

Beverly Byron (Maryland)
Rod Chandler (Washington)
Dan Coats (Indiana)
John Conlan (Arizona)
Larry DeNardis (Connecticut)
Joe Dioguardi (New York)
Tom Ewing (Illinois)
Lou Frey (Florida)
Martin Frost (Texas)
Don Fuqua (Florida)
Bob Hanrahan (Illinois)
Margaret Heckler (Massachusetts)
George Hochbrueckner (New York)
Marjorie Holt (Maryland)
Bill Hughes (New Jersey)
David King (Utah)
Herb Klein (New Jersey)
Ernest Konnyu (California)
Ken Kramer (Colorado)
Peter Kyros (Maine)
John LaFalce (New York)
Jim Lloyd (California)
Ken Lucas (Kentucky)
Andrew Maguire (New Jersey)
Romano Mazzoli (Kentucky)
Matt McHugh (New York)
Bob Michel (Illinois)
Clarence Miller (Ohio)
Stan Parriss (Virginia)
Howard Pollock (Alaska)
Will Ratchford (Connecticut)
Jay Rhodes (Arizona)
George Sangmeister (Illinois)
Ron Sarasin (Connecticut)
Jim Slattery (Kansas)
Steve Symms (Idaho)
Lindsay Thomas (Georgia)
Wes Watkins (Oklahoma)

The SPEAKER pro tempore. The Chair is pleased to announce that 37 former Members of Congress have responded to their names.

At this time the Chair would like to recognize the distinguished gentleman from Missouri, Jack Buechner, who is president of our association.

GENERAL LEAVE

Mr. BUECHNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of this meeting.

The SPEAKER pro tempore. Is there objection to the request of the gentleman?

There was no objection.

Mr. BUECHNER. I thank the Chair, and I want to join with the majority leader and the Speaker in welcoming all of my colleagues of the Former Members Association and for our visiting guests who are here from North America and also from Europe, former parliamentarians and administrative staff all. Thank you. I want to thank all of you for being here with me this morning. We are especially grateful to Speaker HASTERT for taking time from his busy schedule to greet us and for his warm welcome. It is always an honor and privilege to return to this magnificent institution which we revere and in which we shared so many memorable experiences.

Service in Congress and public service in general is both a joy and a heavy responsibility. Service in Congress cre-

ates an attitude amongst your families and your friends that some days the burden of the Nation is greater than what besets most human beings in their lives. We want to thank you all again for the service that you have rendered and that you continue to render as you serve as members of the Association of Former Members of Congress.

This is our 35th annual report to Congress. Our association is nonpartisan. It has been chartered by Congress, but receives absolutely no funding from the Congress. We have a wide variety of domestic and international programs which several members and I will discuss briefly.

Our membership numbers approximately 570. Our purpose is to continue in some small measure the service to country which began during our terms in the Senate and the House of Representatives.

Our finances are sound. We support all of our activities via three income sources: membership dues, program grants, and our annual fund-raising dinner. In addition, we have had the good fortune of a bequest by the widow of a former Member of Congress, Frieda G. James, who was married to Benjamin Franklin James, a five-term Republican from Pennsylvania, who has generously endowed much of what we do.

During the presidency of my esteemed colleague, Larry LaRocco of Idaho, the association established an endowment fund. The goal of this fund is to ensure the financial viability of the Former Members Association for many years to come. We envision a time when investment earnings of this endowment fund can be used to supplement the association's budget during lean years, a safety net to guarantee that tough economic times will not shut down the work of the association.

Several of our Members have already made contributions to this fund, and association staff is in the process of creating some new marketing materials to solicit further donations. Again, many thanks to my predecessor Larry LaRocco for his leadership in this area.

Mr. Speaker, our association has had an incredibly active and successful year. We have expanded many of the programs that are traditionally associated with our organization, and we have created several new ventures. I am therefore very pleased to now report on this program work of the U.S. Association of Former Members of Congress.

The Congress to Campus Program is our most significant domestic undertaking. This is a bipartisan effort to share with college students throughout first this country and now the world our unique insight on the work of the Congress and the political process more generally.

Our colleague from Colorado, David Skaggs, has been managing this program for the association for the last 3

years. This is a project of his Center For Democracy and Citizenship, which is centered at the Council For Excellence in Government. He has partnered this organization with the Stennis Center For Public Service. David is not able to be with us this morning. I submit for the RECORD his report on the accomplishments of the program over the 2004-2005 academic year.

CONGRESS TO CAMPUS PROGRAM—REPORT TO THE ANNUAL MEETING OF THE U.S. ASSOCIATION OF FORMER MEMBERS OF CONGRESS, MAY 19, 2005

INTRODUCTION

The Congress to Campus Program addresses a significant shortfall in civic learning and engagement among the country's young people of college age. It combines traditional educational content about American government and politics (especially Congress) with a strong message about public service, all delivered by men and women who have walked the walk. The Program sends bipartisan pairs of former Members of Congress—one Democrat and one Republican—to visit college, university and community college campuses around the country. During each visit, the Members conduct classes, hold community forums, meet informally with students and faculty, visit high schools and civic organizations, and do interviews and talk show appearances with local press and media.

In the summer of 2002, the Board of Directors of the U. S. Association of Former Members of Congress (Association) engaged the Center for Democracy & Citizenship (CDC) at the Council for Excellence in Government to help manage the Congress to Campus Program (Program) in partnership with the Stennis Center for Public Service (Stennis). CDC and Stennis, with the blessing of the Association, have worked together since to increase the number of campuses hosting Program visits each year, to expand the pool of former Members of Congress available for campus visits, to develop new sources of funding, to raise the profile of the Program and its message in the public and academic community, and to devise methods of measuring the impact of the program at host institutions.

INCREASED QUANTITY AND QUALITY OF PROGRAM VISITS

This is the third year of the program's expansion. In the 2004-2005 academic year, the Program sponsored thirty-two visits involving forty-three colleges and universities around the country and the world—about a 25% increase in visits over the 2003-2004 academic year. [See Attachment 1—Roster of '04-'05 Academic Year Visits & Participants.] These visits took former Members to universities, service academies, colleges and community colleges in twenty-two different States and five countries. While the total fell short of the goal of forty for the year, it should be noted that seven additional scheduled visits were cancelled or rescheduled due to factors beyond the control of the program staff.

In addition to an increasing the number of visits, we continue to fine-tune the content and substance of Program visits based on feedback from Members and host professors. The Program asks visiting Members and host professors to complete an evaluation of each visit. This year those evaluations have prompted us to encourage host schools to include nearby colleges and universities in Congress to Campus visits and to broaden the scope of classes and activities scheduled for the former Members. We will continue to make changes in response to the suggestions of participating former Members and host faculty.

The Program asks host schools to insure contact with at least 250 students over the course of a visit, and that number is often exceeded. For the past academic year, approximately 13,000 students heard Members' unique story about representative democracy and their special call to public service.

A draft schedule of events is prepared in advance of each campus visit and reviewed by staff to assure variety as well as substance. There is a conference call before each trip with Members and the responsible campus contact person to review the revised schedule and iron out any remaining problems. Members also receive CRS briefing materials on current issues and background information on government service opportunities prior to each visit.

RECRUITING MEMBER VOLUNTEERS FOR CAMPUS VISITS

The success of the Program obviously depends on Members' participation. With travel back and forth, Members end up devoting about three days to each campus visit. This is a priceless contribution of an extremely valuable resource.

Members of the Association were surveyed again last summer to solicit information regarding their availability for and interest in a Program campus visit. Using responses to these surveys and direct contact with a number of former Members, CDC developed a pool of just over one hundred available former Members, and some fifty-four participated in visits this year. A "bench" of one hundred was deep enough to fill the openings during the current academic year, but more will be needed to meet the demands of future academic years. Association Members are encouraged to complete and return the survey they will receive this summer and then to be ready to accept assignments to one of the fine institutions of higher education the program will serve next year.

FUNDING SOURCES

In addition to the generous contribution of money and staff time made each year by the Stennis Center for Public Service, the Association, with the assistance of the American Association of Retired Persons, has substantially increased its support of the Program. Other organizations have also provided funding to help with the expansion of the Congress to Campus Program for this academic year including the Boeing Company, the German Marshall Fund (visit specific) and the Ford Foundation (visit specific). While Stennis' commitment to the Program is ongoing, funding from the other organizations is being provided on a year by year basis. The effort to find new sources of funding for Congress to Campus is a continuing challenge.

Host schools are expected to cover the cost of Members' on-site accommodations and local travel and to make a contribution to cover a portion of the cost of administering the Program. A suggested amount of contribution is determined according to a sliding-scale based on an institution's expenditures per pupil [see Attachment 2—Application Form]; a waiver is available to schools that are not able to pay the scale amount. Several schools received a full or partial waiver in 2004-2005. Still, school contributions produced several thousand dollars in support of the program.

Additional funding sources will be necessary if the expansion of the Program—clearly justified by the interest expressed by schools seeking to host a first or a repeat visit and by the assessment of its positive effects (see below)—is to be maintained.

INTERNATIONAL INITIATIVE

Congress to Campus made its first international visit in October 2003 to the United Kingdom. An earlier Association study tour

had laid the groundwork for the visit and had established a relationship with Philip John Davies, Director, Eccles Centre for American Studies at The British Library and Dennis Spencer Wolf, Cultural Attache at the U.S. Embassy. The success of the 2003 visit led to a second visit in the fall of 2004 and a planned third visit in November 2005.

This academic year Congress to Campus broadened its international reach by sponsoring visits to Canada (University of Toronto), Germany (University of Bonn, University of Cologne and European University Viadrina), and China (Fudan University and Sun Yat-Sen University). The visit to Germany was made possible through the support of the German Marshall Fund. The Ford Foundation is providing support for the visit to China.

PROGRAM OUTREACH AND PUBLICITY

The increased number of institutions hosting and applying to host a Congress to Campus visit is the result of a multi-faceted outreach effort. Association leadership and numerous former Members, as well as staff at CDC and Stennis, have made many personal contacts on behalf of the Program. In addition, CDC Executive Director and former Member David Skaggs has made several public presentations in behalf of Congress to Campus and informational material has been e-mailed directly to all members of the APSA Legislative Studies Section, as well as to many other college and university organizational contacts.

Campus press and media at host institutions are offered access to visiting Members. Each host institution is also encouraged to make commercial print and broadcast media interviews a part of each Congress to Campus visit's schedule.

MEASURING THE PROGRAM'S IMPACT

Over the years, anecdotal information has tended to validate the basic premise of the Congress to Campus Program—that these visits by former Members of Congress positively affect students' views of public service and government officials. In an effort to confirm this anecdotal information, during the 2002-2003 and 2003-2004 academic years, the Program asked host schools to have students complete one-page surveys. The surveys elicited students' views on public service careers and feelings about different categories of public officials; they were completed by a group of students who attended sessions with the former Members and by a control group of similar students who did not have contact with the former Members.

While all schools hosting a visit did not return the surveys, the data that was generated for the 2002-2003 and 2003-2004 academic years shows that the underlying goals of the Congress to Campus program are sound. Those students who have contact with former Members during their Congress to Campus visits have a measurably more favorable view of public servants and of public service as a career option than similar students who do not have the opportunity to interact with the visiting former Members.

In previous years, we have reported preliminary findings of these student surveys. The data collected over the full two-year study has now been analyzed by the Center for Information and Research on Civic Learning and Engagement (CIRCLE) at the University of Maryland. Their final report [see Attachment 3] confirms our preliminary finding and found that the Congress to Campus Program had a statistically significant positive impact on student's attitudes towards public service and public servants.

As noted above, the Program requests the principal contact at each host school to submit an evaluation. We receive valuable feedback on various aspects of each visit and try

to incorporate lessons learned and helpful suggestions in the on-going effort to improve the Program. The best indication of satisfaction with the Program is the fact that every school visited this year has said it would like to host a Congress to Campus Program visit again.

CONCLUSION

The Program has made significant progress toward achieving its new goals. The number of campus visits has increased significantly each of the past three academic years to a level this academic year that represents a 350% increase over 2001–2002 levels. However, Program funding remains a matter requiring attention. There is continuing success in efforts to raise the public profile of the Pro-

gram, but more needs to be done. Finally, objective data, as represented in our two-year study, supports the basic premise of the Congress to Campus Program: That campus visits by Members are effective in raising interest in public service careers and in improving attitudes about public officials among the students who participate in Program events.

ATTACHMENT 1

Congress to Campus Program
The United States Association of Former Members of
Congress

2004–2005 VISITS AND PARTICIPANTS

Fall Semester

University of South Dakota – September 12-14, 2004

(Vermillion, South Dakota)

Bill Roy (D-KS) & Bill Barrett (R-NE)

University of Baltimore – September 12-14, 2004

(Baltimore, Maryland)

Ed Derwinski (R-IL) & Lloyd Meeds (D-WA)

Roger Williams University – September 19-21, 2004

(Bristol, Rhode Island)

Mike Forbes (D-NY) & George Wortley (R-NY)

Columbia College/Winthrop University – September 20-23, 2004

(Columbia & Rock Hill, South Carolina)

Liz Patterson (D-SC) & Jan Meyers (R-KS)

SUNY Brockport – September 26-28, 2004

(Brockport, New York)

Andy Jacobs (D-IN) & Orval Hansen (R-ID)

United Kingdom – October 10-16, 2004

De Montfort University, University College Northampton, Nottingham University

Jack Buechner (R-MO) & Dennis Hertel (D-MI)

Central Michigan University – October 12-14, 2004

(Mount Pleasant, Michigan)

Beverly Byron (D-MD) & Barry Goldwater, Jr. (R-CA)

ATTACHMENT 1

University of Massachusetts – October 17-19, 2004

(Amherst, Massachusetts)

Dan Miller (R-FL) & Bob Clement (D-TN)

Allegheny College – October 18-20, 2004 *

(Meadville, Pennsylvania)

Bill Clinger (R-PA) & Jim Lloyd (D-CA)

Jamestown College – October 19-21

(Jamestown, North Dakota)

Harold Volkmer (D-MO) & Jay Dickey (R-AR)

University of Idaho/Washington State University – November 8-11, 2004

(Moscow, Idaho & Pullman, Washington)

Jim Lloyd (D-CA) & Orval Hansen (R-ID)

Manchester College – November 14-16, 2004

(Manchester, Indiana)

Jerry Patterson (D-CA) & Peter Torkildsen (R-MA)

Spring Semester**Indiana University at Kokomo – January 23-25, 2005**

Steve Kuykendall (R-CA) & Sam Coppersmith (D-AZ)

Eastern Michigan University – February 2-4, 2005

(Ypsilanti, Michigan)

Dan Miller (R-FL) & Mike Forbes (D-NY)

Murray State University – February 6-8, 2005

(Murray, Kentucky)

Manuel Lujan (R-NM) & Ron Mazzoli (D-KY)

University of Nebraska - Omaha – February 20-22, 2005

Jan Meyers (R-KS) & Owen Pickett (D-VA)

Syracuse University – February 20-22, 2005

Rod Chandler (R-WA) & Toby Moffet (D-CT)

U.S. Naval Academy – February 27 - March 1, 2005

(Annapolis, Maryland)

Larry Pressler (R-SD) & David Skaggs (D-CO)

ATTACHMENT 1

Georgia College & State University— February 27 - March 1, 2005

(Milledgeville, Georgia)

*Martha Keys (D-KS) & Bill Barrett (R-NE)***University of North Florida – February 27- March 1, 2005**

(Jacksonville, Florida)

*Buddy Darden (D-GA) & Bill Goodling (R-PA)***University of Toronto - March 1-4, 2005***Bob Carr (D-MI) & Dan Miller (R-FL)***Virginia Military Institute – March 6-8, 2005**

(Lexington, Virginia)

*Stan Parris (R-VA) & Ken Hechler (D-WV)***Abilene Christian University – March 13-15, 2005**

(Abilene, Texas)

*Robert Daniel (R-VA) & Harold Volkmer (D-MO)***Oakland University – March 13-15, 2005**

(Rochester, Michigan)

*Bill Roy (D-KS) & Arlen Erdahl (R-MN)***Vanderbilt University – March 17-18**

(Nashville, Tennessee)

*Butler Derrick (D-SC) & Jim Broyhill (R-NC)***High Point University/UNC Greensboro – March 20-23, 2005**

(North Carolina)

*Bill Zeliff (R-NH) & Earl Hutto (D-FL)***Western Kentucky – April 3-5, 2005**

(Bowling Green, KY)

*Mike Ward (D-KY) & Lou Frey (R-FL)***Colby College – April 3-5, 2005**

(Waterville, Maine)

*David Minge (D-MN) & Ron Sarasin (R-CT)***Mercer University – April 10-12, 2005**

(Macon, Georgia)

*Jim Bilbray (D-NV) & Orval Hansen (R-ID)***Coast Community Colleges District (3 schools) – April 10-12, 2005**

(Orange County, CA)

Glen Browder (D-AL) & Denny Smith (R-OR)

ATTACHMENT 1

Germany (Univ of Bonn & Univ of Frankfurt-Oder) April 23 – May 1, 2005

University of Bonn, University of Cologne (Frankfurt-Oder), European University Viadrina (Berlin)

Matt McHugh (D-NY) & John Anderson (R-IL)

China Fudan University/Sun Yat-Sen University– May 24-June 1, 2005

Fudan University (Shanghai), Sun Yat-Sen University (Guangzhou)

Larry Pressler (R-SD) & Harris Wofford (D-PA)

ATTACHMENT 2

Congress to Campus Program**The United States Association of Former Members of
Congress**

in partnership with



and

**APPLICATION FOR CONGRESS TO CAMPUS VISIT**

Please complete this form (you may include attachments as needed) and email, fax or mail
copies to:

Congressman David Skaggs
Center for Democracy & Citizenship
1301 K Street NW, Suite 450 West
Washington DC 20005
Fax: 202-728-0422
Email: congresstocampus@excelgov.org

Name of Institution _____

Address _____

Sponsoring Department _____

Responsible Contact Person _____

[This individual must have authority to act for the host school regarding all arrangements and aspects of the visit.]

Address _____

Email _____ Phone _____ Fax _____

Submitted by _____ Date: _____
[signature]

ATTACHMENT 2

Background on Institution [founding; governance; accreditations; degrees offered; student body size and characteristics; faculty size and characteristics; geographic area served; religious affiliation; endowment; if this information is readily available on your website, just provide the address for the website.] (Attach additional sheet, if needed.)

Please check those activities from the following list you expect tentatively to be able to include in the Members' schedules if your application for a visit is approved. Experience suggests that allocating most of the visit to a variety of classes works best.

- ☐ Introductory classes in political science or U. S. government [Please try to avoid multiple appearances in different sections of the same course.]
- ☐ Advanced classes in political science or U. S. government, including courses in the Congress, political theory or foreign affairs
- ☐ Classes in political philosophy or history*
- ☐ Classes in other disciplines [e.g., health, science, engineering, environment] for students who may be interested in public service careers or who simply need a better grounding in American government*
- ☐ ROTC classes
- ☐ One-on-one or "office hours" style meetings with individual students interested in public service or political careers [To work well, this option needs to be well publicized, preferably with advance sign-up.]
- ☐ Campus political clubs, e.g., Campus Democrats and Young Republicans
- ☐ Campus extracurricular activities or clubs with some public policy dimension, e.g., an environmental or international relations club
- ☐ Campus speaker series or open campus forum [Please be prepared to do some work to publicize such a session, or give class credit, or risk low attendance.]
- ☐ Meeting with student government organization or leadership
- ☐ Meetings with school president, chancellor, dean or other senior administrator [This option is offered if it meets a real need for your school; there is no need for a meeting just for protocol reasons; if included, should be *brief*.]
- ☐ Meeting with career counseling staff regarding public service
- ☐ Faculty departmental colloquium
- ☐ Interview with campus newspaper(s) and radio station
- ☐ Interview with local newspaper(s) and editorial board(s)
- ☐ Interview or talk show appearance with local radio station(s)
- ☐ Interview or talk show appearance with local TV station(s)
- ☐ Meeting with community service organization(s), e.g., Rotary, Lions, League of Women Voters
- ☐ Community talk or forum, e.g., "town hall" type meeting at a public library
- ☐ Class visits or assembly at local high school

* At least one class should be in a discipline other than political science or government studies.

ATTACHMENT 2

- ☐ “In-service” teacher training on Congress, federal government for middle and high school social studies teachers arranged through local school district(s)
- ☐ Major federal government installation or major private sector employer near campus able to host a session with a significant number of employees
- ☐ Meeting with local government officials, e.g., appearance at City Council or County Board session or meet with state legislators
- ☐ Other (specify) _____

While it is not possible to include all the activities suggested above, the schedule for each visit should include a good variety of activities and not be limited only to classes. Please include at least one class from outside the political science (or government studies) department. Visits typically cover 2 full days following Members’ arrival, with no more than two nights on site. If Members arrive the evening before the schedule begins, they will expect to depart in time to get home the evening of the second day of scheduled events; if they arrive on a morning, they will expect to leave after noon on the third day. Activities may be scheduled from 8 or 9 AM until (as late as) 9 PM, including (some) meal times; for each 4 or 5 hours of scheduled time, an hour of “down” time should be set aside (this may be lunch hour), with facilities for Members to check emails and use a phone. Please attach a proposed schedule for your school visit, comprised of two full days, incorporating the elements tentatively checked above. Please indicate the number of students expected at each proposed activity. (The Program hopes for both quality and quantity, with substantive contact with at least 250 students during a visit as a goal.)

If your application is approved, you will need to submit a complete schedule for the visit at least one month prior to the visit; this is a critical deadline. For class presentations, the instructor for the course should provide brief written guidance to the Members in advance of the visit about what they should discuss during the class period and how it fits into the course (a copy of the course syllabus is helpful. Program staff may request revisions to the schedule if necessary to meet Program standards. Formal campus tours and other area touring are secondary to the Program’s educational objectives and generally should be avoided.

Preferred dates for a visit that fit your academic calendar. _____

Transportation: nearest airport; distance from campus; means of transportation to campus. _____

Other considerations that make your school a good site for the Program. _____

ATTACHMENT 2

The host school is expected to cover the on-site expenses for Member accommodations, meals and local transportation. Please understand that the average Congress to Campus visit also entails about \$5000 in administrative, overhead and transportation expenses. In order to make the Program as widely available as possible, we would also like to recover a portion of those costs, based on the host school's ability to pay. Please indicate the financial category applicable to your institution from the following schedule. _____

Host School Suggested Contribution

Category	Current expenditures per "full-time" student*	Suggested contribution
A	\$30,000 or more	\$3500
B	\$20,000 to \$29,999	\$2500
C	\$10,000 to \$19,999	\$1500
D	\$9999 or less	\$750

We do not want this cost-sharing goal to prevent any school that wishes to host a visit from doing so. With that in mind, do you need a waiver of all or part of the applicable contribution, and, if so, do you also need assistance with on-site costs? ____ (If 'yes,' please attach an explanation and statement of need signed by an appropriate financial officer of the school.)

Where or how did you learn about the Congress to Campus Program? _____

Note: The host school contact person will be responsible for identifying faculty members who will assist in administering a brief survey instrument to be completed after the Congress to Campus visit by a sample of students in classes visited by Members and by an otherwise comparable sample of students in classes *not* visited. The purpose of this survey is to determine any difference (change) in attitude about politics, government and public service in one group compared to the other, and so to indicate the impact of the visit on student attitudes. In addition, the host school contact person will be expected to complete an evaluation of the visit and to report on print and electronic media coverage of the visit, the expenses paid by the school in connection with the program visit, and the student attendance at each event on the schedule.

* The expenditures figures used to calculate the contribution level should be for the most recent academic year and should be readily available from your school's business or finance office. They are standard data used by the Department of Education's Integrated Postsecondary Education Data System (IPEDS). For public institutions that follow the GASB 34/35 reporting model, use your school's total expenses – the sum of Operating Expenses and Non-Operating Expenses. Public institutions using the College and University Audit Guide should use the total of current funds expenditures and mandatory transfers. Independent institutions following the Not-for-Profit Audit Guide should use the expenses category. The enrollment figures should come from the IPEDS data for the current academic year, converted to a full-time equivalent enrollment based on one full-time student per three part-time students.

ATTACHMENT 3

Memorandum

Date: August 1, 2004
To: David Skaggs, Executive Director,
Center for Democracy and Citizenship, CEG
From: Mark Hugo Lopez, Ph.D.,
Research Director, CIRCLE
Subject: The Congress to Campus Presentation Experiment

I have taken a close look at the data from the Congress to Campus program for 2003 and 2004, and generally students in the treatment group were more likely to have positive views of public service careers and public institutions than students in the comparison group with most differences of interest statistically significant, though there are some concerns about the validity of the experiment and causality.

I have divided the memo into several sections, the first of which examines the quality of the experiment, the next two assess the outcomes of interest. Finally, the memo concludes with comments, recommendations, and caveats.

Assessing the Quality of the Experiment

As a first step to evaluating the impact of the Congress to Campus program experiment, I examined both the treatment and comparison sample on a range of background characteristics. If this were a randomized experiment, the treatment and comparison groups would look similar statistically on a range of observed background characteristics, and this is what I am looking for as I assess the quality of the experiment.

All demographics for merged data from 2003 and 2004 are contained in Table 1, and a cursory look at the data suggests that the treatment and comparison samples are very similar in their distributions of gender, race/ethnicity, and age. For each of these variables, there are no statistical differences in their distribution across the treatment and comparison groups, suggesting that assignment to the treatment or the comparison group was not a function of either of these observed characteristics, which is good.

However, there are some difficulties with the distribution across the treatment and comparison groups of the background characteristics class and whether or not the student had discussed a career in public service with a counselor. In each of these cases, the treatment and comparison groups are not similar in their characteristics, with the treatment group more likely to have fourth year students than the comparison group, and less likely to have first year students than the comparison group. Furthermore, the

treatment group was more likely to have students who had talked with a guidance counselor about a career in public service.

Taken together, these statistics suggest that the assignment to the treatment and comparison group samples is good, but not excellent. More than likely the greatest difficulty with the assignment is the dissimilarity between the treatment and comparison group samples on the measures of class standing and school. However, the even distribution across gender and race/ethnicity between the treatment and control groups lends plenty of support to the overall validity of the experiment, though one should be cautious about causality.

Furthermore, some caution should be taken when making statements about the possible treatment effects of the Congress to Campus program on college students generally since the comparison and treatment groups do not look like the general college student population, at least as of 2000. The treatment and comparison samples are more likely to be male, white and younger than the general college student population.

Measuring Differences in Self-Reported Career Option Viewpoints

One of two outcomes examined with these data is the viewpoint of college students towards potential career choices. Table 2 and Graph 1 display the average response across all occupational groupings for the treatment and comparison groups. Generally speaking, treatment and comparison group students express “neutral/ok” opinions of every career option except Agriculture/Farming and Manufacturing/Industrial, which is expected given that this is a group of college students.

In only two cases are there statistical differences between the responses of treatment and comparison group students. In the area of “State or Local Government Service” and “Federal Government Service” treatment group students express a higher level of positive opinion about these careers for themselves than do comparison group students. For both career options, treatment group students express an average opinion that is 0.2 points higher than the opinions of comparison group students. While it is difficult to claim that there is a casual relationship between participation in the Congress to Campus program and opinions of careers in public service, it is suggestive that there is a modest improvement in expressed opinions of public service as a career option.

I have explored these differences further with a multivariate analysis, and in both cases, the estimated differences in opinion (for careers in federal or state and local service) between comparison and treatment groups are statistically significant once gender, race/ethnicity, school, counseling experience, age and class are controlled for. I would be happy to share these results with you if you would like to see them at a later date. Given that observed differences hold up in a multivariate environment for federal and state and local career viewpoints, these estimated program effects may indeed be robust, and a reflection of true program effects.

Measuring Differences in Views of Public Officials

Table 3 and Graph 2 show average responses to the question about student views of public officials in various public institutions. In all cases, treatment group students express greater positive views of public institutions than comparison group students except in the area of firefighters and police, with all differences statistically significant. On average, the improvement in views after participation in the Congress to Campus program is on the order of 0.15 points.

In this case, I have also estimated multivariate models, and have found that all statistical differences are robust once controls for gender, race/ethnicity, class, age, school and counselor guidance have been controlled for.

Conclusions

Students who participated in the Congress to Campus speaker program generally express more positive views of public service career choices and of public institutions than students who were not exposed to the program treatment. Furthermore, the experiment appears relatively good since on many background characteristics there are no differences between the comparison and treatment groups of students. While I believe one should be cautious when interpreting these results (many more controls are needed to assess the validity of the experiment), they are suggestive that there are modest gains in views of public service associated with participation in the Congress to Campus Program.

Recommendations

Analysis of this data entailed several data cleaning efforts, and a superior data collection would alleviate the need for large scale cleaning efforts. If a future evaluation is planned, several changes to the survey instrument should be considered. These include:

1. Reverse the scoring scale to read 1 “very unfavorable” to 5 “very favorable.”
2. Ask for more background information such as parental income, parental education, how often the student reads the newspaper or watches the news, grade point average, and whether or not the student has ever worked for the public sector in an internship. We have very little information on background characteristics, and in order to more properly assess the validity of the experiment, more background characteristics would be useful.
3. It might be worthwhile, in any future evaluation, to perform a “Solomon Four” style assessment. This would entail the administration of the survey instrument before and after participation in the program for the treatment and comparison groups. This way, one could perform an analysis that looks at gains in views rather than a cross-sectional comparison between the treatment and comparison groups.

Cautions and Caveats

In the process of performing this analysis, I reversed the coding on all the variables so that a “5” would represent “very favorable” and “1” would represent “very unfavorable.” Note that by doing this, my averages are 1 point higher than those reported in the graphs you had initially shared with me (the method used to calculate the means in those graphs presented an average that was a full point too low). This suggests that the students in both the treatment and comparison samples actually have a more favorable view of public sector career options and institutions than was shown before.

I also urge caution in the interpretation of these results since

1. Estimated program effects are rather small, and do not necessarily translate into large swings in student opinion of careers in the public sector or their views of public sector institutions as a result of program participation.
2. The measurement of views was taken immediately after the treatment. We would need to know what happens one month later, six months later, or one year later.
3. The sample of colleges is limited to Midwestern and east coast schools.
4. This was not a randomized experiment, and we can only discuss “associations”, not causation.
5. The treatment may not have been similar across schools.

**Table 1 – Demographic Characteristics
(2003 & 2004 Merged Data)**

	Treatment Group	Comparison Group	All U.S. Undergraduates, 2000
<i>Background Characteristics</i>			
Female	0.465	0.476	0.551
White	0.805	0.809	0.688
African American	0.068	0.075	0.113
Latino	0.038	0.035	0.095
Asian	0.050	0.042	0.064
Mixed Race	0.036	0.035	
Native American	0.004	0.005	0.001
<i>Class Year</i>			
First	0.418	0.443	***
Second	0.282	0.276	***
Third	0.174	0.181	***
Fourth	0.114	0.082	***
Grad	0.002	0.009	***
<i>Age</i>			
18	0.237	0.233	0.231
19	0.331	0.300	
20	0.180	0.217	
21-24	0.212	0.210	0.370
25 or older	0.037	0.036	0.390
Talked with a Guidance Counselor about a Career in Public Service	0.814	0.710	***
Sample Size	1,929	1,274	15,312,000

**Table 2 – Career Choices
(2003 & 2004 Merged Data)**

	Treatment Group	Comparison Group
<i>Feelings of Career Options for Self in:</i>		
Private Enterprise - Corporate	3.391 (1.163) [1,912]	3.309 (1.185) [1,262]
Private Enterprise - Small Business	3.594 (1.069) [1,913]	3.619 (1.067) [1,259]
Professional (law, medicine, journalism, accounting, etc.)	3.861*** (1.200) [1,917]	3.717 (1.182) [1,263]
State or Local Government Service	3.190*** (1.158) [1,902]	3.072 (1.155) [1,253]
Federal Government Service	3.282*** (1.245) [1,914]	3.106 (1.230) [1,261]
Military Service	2.502 (1.498) [1,909]	2.529 (1.512) [1,259]
Public Safety: Fire, police	2.712 (1.287) [1,900]	2.750 (1.287) [1,259]
Teaching	3.391 (1.291) [1,910]	3.474 (1.280) [1,257]
Non-Profit, community service	3.023 (1.250) [1,906]	3.097 (1.268) [1,259]
Agriculture/Farming	2.110*** (1.213) [1,905]	2.270 (1.248) [1,259]
Manufacturing/Industrial	2.120*** (1.139) [1,903]	2.274 (1.192) [1,255]

Note: Students were asked to rate career options for themselves on a scale of 1 to 5, where 1 is very unfavorable, 2 is unfavorable, 3 is ok, 4 is favorable, and 5 is very favorable. All reported figures above are means, with standard errors in parentheses and sample sizes in brackets. *** indicates statistical significance between the treatment and comparison groups at the 5 percent level of statistical significance.

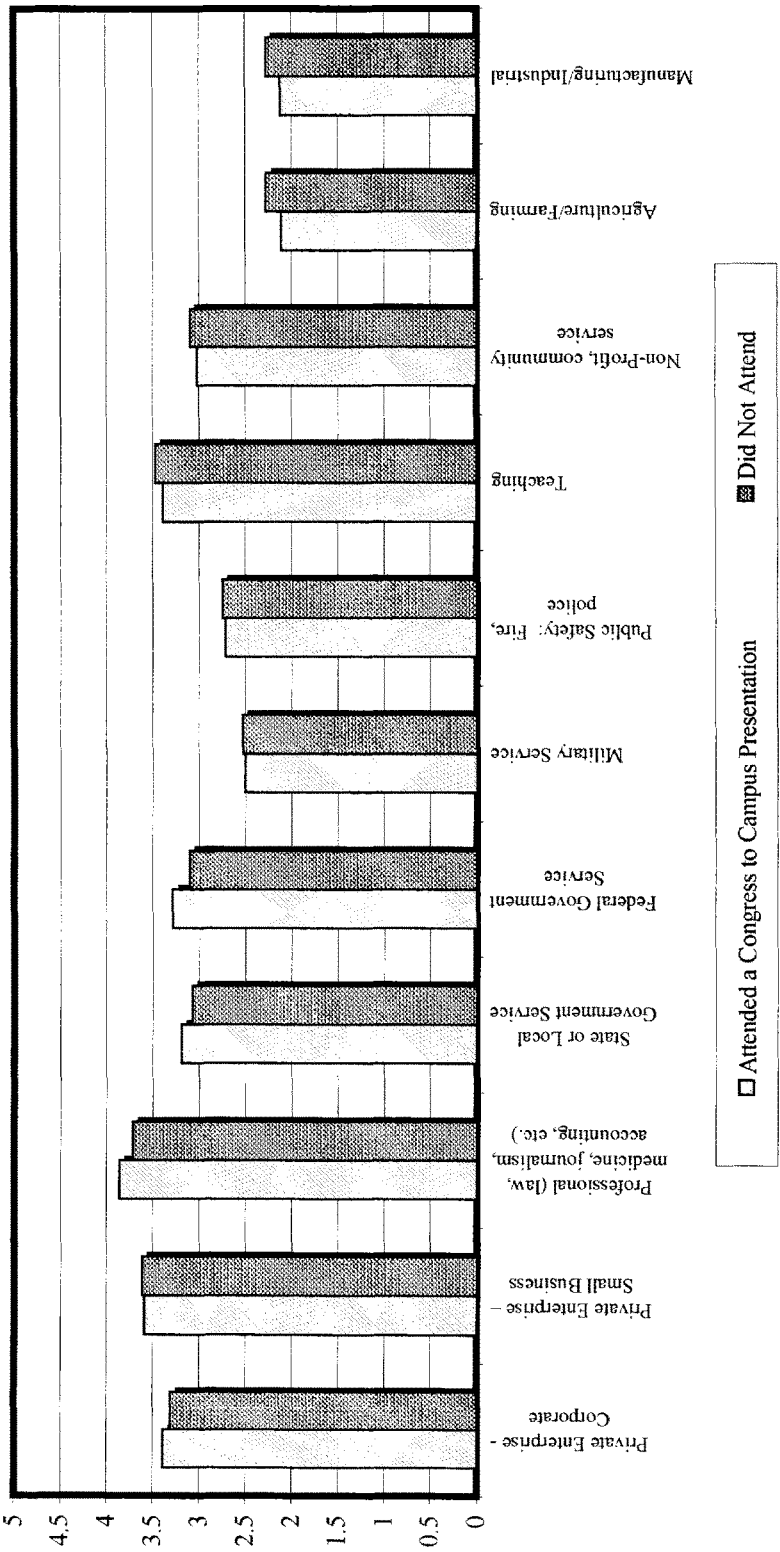
**Table 3 – Student Views
(2003 & 2004 Merged Data)**

	Treatment Group	Comparison Group
Views of:		
Federal Government	3.663*** (0.949) [1,920]	3.481 (0.990) [1,266]
State and Local Government	3.598*** (0.877) [1,920]	3.435 (0.891) [1,269]
U.S. Congress	3.553*** (0.908) [1,920]	3.354 (0.942) [1,264]
Politicians	3.016*** (0.938) [1,918]	2.760 (0.961) [1,266]
Candidates for Elected Office	3.170*** (0.849) [1,915]	3.014 (0.860) [1,261]
City or Town Council	3.368*** (0.889) [1,917]	3.258 (0.871) [1,265]
State Legislature	3.353*** (0.837) [1,914]	3.203 (0.832) [1,259]
Government and Civil Service Employees	3.496*** (0.911) [1,917]	3.376 (0.886) [1,264]
Firefighters and Police	4.059 (1.020) [1,921]	4.006 (0.994) [1,267]

Note: Students were asked to provide views of public sector groups/institutions on a scale of 1 to 5, where 1 is very unfavorable, 2 is unfavorable, 3 is ok, 4 is favorable, and 5 is very favorable. All reported figures above are means, with standard errors in parentheses and sample sizes in brackets. *** indicates statistical significance between the treatment and comparison groups at the 5 percent level of statistical significance.

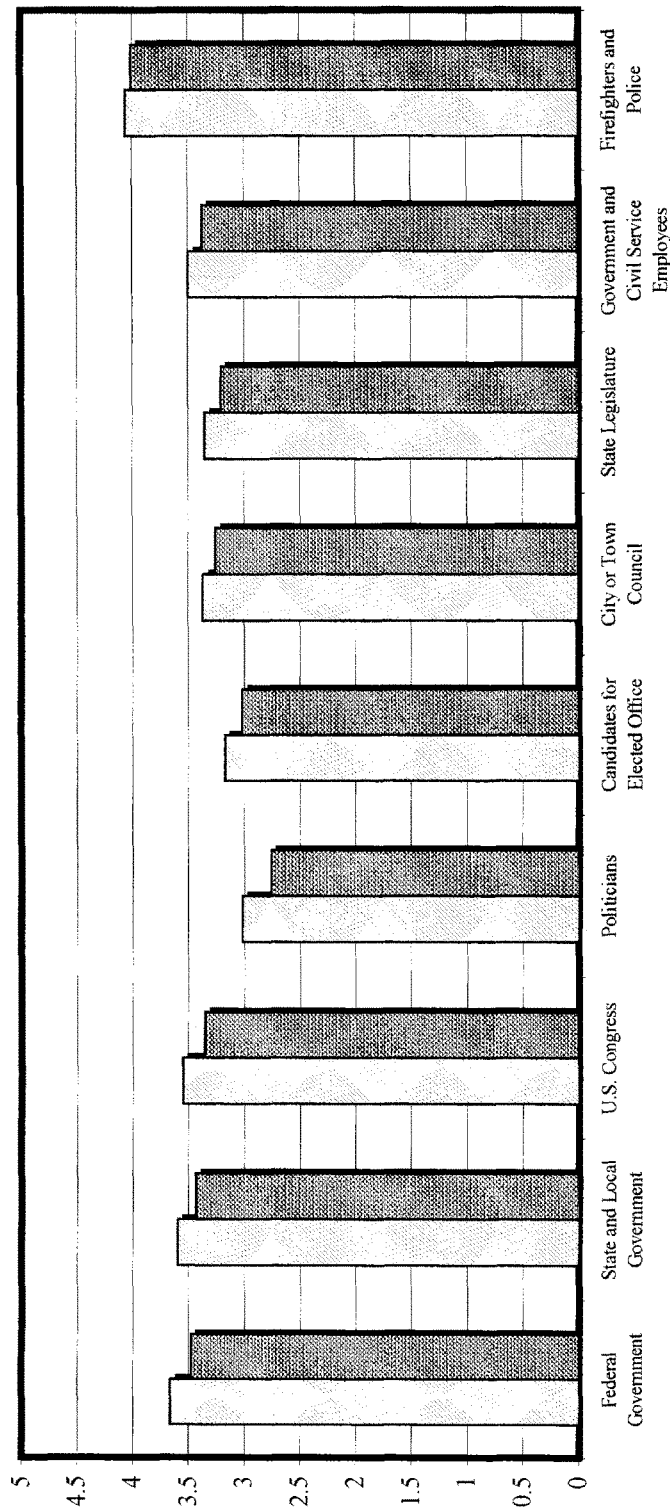
Graph 1: CAREER OPTIONS (2003 & 2004)

Please rate how you feel personally about each of the following career categories as an option for yourself, from 1 (very unfavorable), 2 (unfavorable), 3 (OK/neutral), 4 (favorable), to 5 (very favorable).



Graph 2: FEELINGS ABOUT GOVERNMENT OFFICIALS (2003 & 2004)

Please indicate your feelings, from 1 (very unfavorable), 2 (unfavorable), 3 (OK/neutral), 4 (favorable), to 5 (very favorable), about each of the following.



□ Attended a Congress to Campus Presentation

■ Did Not Attend

I would now like to yield to Bev Byron of Maryland and Ron Sarasin of Connecticut for their reports on the Congress to Campus Program.

The SPEAKER pro tempore. The gentlewoman from Maryland is recognized.

Ms. BYRON. Mr. Speaker, I have not forgotten what side I belong on.

Let me, first of all, say I am delighted to share with some of our members who have not participated in the Congress to College Program some of the things they have done. I made a commitment to myself several years ago that I would give back at least one visit a year to a college campus, and I started saying I am giving it back. Actually, I have gained so much from each and every one of those visits.

The program has grown 350 percent since 2002. There is no question that it is making an impact on college campuses. We are now finding campuses that are saying can we get former Members to come. It is a commitment of basically 2 days.

Last fall, Barry Goldwater, on my note here it says from California, although Barry is living in Arizona right now, and I went to central Michigan. Well, I have a husband from Michigan, and I was not familiar with where central Michigan is. It is a wonderful, wonderful school, a very large school, a very exciting school. We spent 2 days interacting with the students, the faculty, the local community, a senior citizen center, and the media.

One of the things that I like to stress with the college students, not only is Congress the ultimate for many people in the political arena, but government service is a wonderful thing for them to be involved in. And as I looked around the room, they kind of were glazing over a little. I said, you know, government service is not just Congress; it is not putting your name on a ballot. It is participating in your PTA, on your school board, in the zoning commission hearings. It is your local legislative bodies. So it is serving in a government capacity to your community across the board.

So as we finished our 2 days of activities, I think both Barry and I left with a great sense of some contribution, and hopefully out of the group that we spoke to we will find one or two of those members that will be in this body one day.

My colleague Ron Sarasin is going to talk a little bit about his experiences. But for those of you that have not had an opportunity, it is a wonderful opportunity.

I yield to the gentleman.

Mr. SARASIN. I thank the gentlewoman from Maryland for yielding, and I would like to explore with you some of my own experiences with the program. I have been fairly active with it. It is not only an opportunity to continue to give back in a way, but it is a very rewarding personal opportunity. You get more out of it than you give.

In April, I had the opportunity to spend 2 days at Colby College in

Waterville, Maine, with our colleague Judge David Minge from Minnesota.

These visits always provide an opportunity for students and faculty to see that Republican and Democrat former Members of Congress are in fact real people, that we can enjoy each other's company, that we probably agree on more issues than we disagree, and if we disagree, we will do it without being disagreeable. I think that in itself is a lesson to students and faculty, and I think they come away with a great deal from it.

As Ms. Byron pointed out, part of our mission is to encourage people to get involved in public service, to encourage them to look at the political aspect and the supportive aspects of the Congress and government in general.

The experience for us is a rewarding one. It is good for our own egos to have someone ask us our opinion and seem to value it when we give it to them. As we know, one of the things you learn very quickly after you leave the Congress is that your views just do not seem to carry as much weight as they used to, and the thing you really learn is that your jokes just do not generate as much laughter as they did when you were a sitting Member of Congress.

Our very gracious host at Colby was a professor named Sandy Maisel, who himself had run for Congress some years ago, unsuccessfully; and then he wrote a book about his experience, and the title of the book is "From Obscurity to Oblivion." Is that not a wonderful title for a book, for a politician especially?

All in all, it was a very great experience for everyone involved. I would encourage every Member here and every former Member out across the country to get involved in this program, because it is fun, it is a couple of days on a college campus, and it is a great experience personally. I know that all of you who have participated have enjoyed it and come away with a feeling that you got more out of it than you gave.

Mr. MCHUGH. Mr. Speaker, will the gentleman yield?

Mr. SARASIN. I yield to the gentleman from New York.

Mr. MCHUGH. Thank you for that explanation. It really is a marvelous program that many of us have experienced. I wanted to mention briefly that the German Marshall Fund this year for the first time sponsored a bipartisan team to go to Germany and spend a week visiting campuses in Germany. John Anderson and I went just a few weeks ago and had a great experience meeting with the students and faculty, and indeed others as well.

I think it is a particularly important time to promote these kinds of exchanges, because, as you know, there are some differences these days between our friends in Europe and the United States; and I think the exchange of views was very useful, both for us and hopefully for the students as well. I hope that the Marshall Fund

will sponsor additional teams, and I would certainly encourage my colleagues to take advantage of that if they do.

Thank you very much.

Mr. SARASIN. I thank the gentleman for his comments.

Mr. BUECHNER. I thank the gentlewoman and the gentleman for describing those wonderful efforts on the Congress to Campus Program.

To sort of amplify what the gentleman from New York just brought forward, we also have for 2 years now sent a team to England to speak to different universities and to the Eccles American Study Center at the British Library. I was there the week before the U.S. election, and I got a lot of questions. I was sort of a stand-in for George Bush, and it was one of the most interesting things that I have ever done.

One outgrowth of the Congress to College Program was an interest in producing a book that would take an inside look at Congress from different views. Under the leadership of our colleague Lou Frey of Florida, the association published a compilation of essays written by former Members of Congress describing their experiences before, during, and after serving on Capitol Hill.

The result was "Inside the House: Former Members Reveal How Congress Really Works." Probably not as catchy a title as the one the gentleman from Maine had, but it has been a great success. It is being used by several political science departments in universities and colleges across the country. Lou is now soliciting submissions for another book, and I am sure he will talk about that when he has the floor to report on our annual fund-raising dinner.

Another domestic program the association undertakes is a cooperative project with the Library of Congress. Through a generous grant from the American Association of Retired Persons, the association is working to involve former Members of Congress in the Library's Veterans History Project.

This program honors our Nation's war veterans and those who served in support of them. It creates a lasting legacy of recorded interviews and other documents chronicling veterans' and other citizens' wartime experiences and how those experiences affected their lives and America itself. We have been able to connect numerous former Members who served in World War II with this wonderful program, and soon our attention will focus on the veterans of the Korean War.

Mr. Speaker, beyond the programs we administer dealing with domestic issues, the association is very active in overseeing international programs. These involve both former Members of Congress and current Members of Congress. The association has played an important role in fostering dialogue between the leaders of other nations and the United States.

We have arranged almost 500 special events at the U.S. Capitol for international delegations from over 80 countries and the European Parliament. We have hosted meetings for individual members of parliaments and parliament staff, and organized more than 50 foreign policy seminars in over a dozen countries involving more than 1,500 former and current parliamentarians, and conducted over 20 study visits abroad for former Members of Congress.

The association serves as the secretariat for the Congressional Study Group on Germany. This is the largest and most active exchange program between the U.S. Congress and the parliament of another country. It is the flagship international program of the association, and it is a bipartisan organization with approximately one-third of the sitting Members of Congress participating.

The Congressional Study Group on Germany serves as a model for the other study groups under the umbrella of the Former Members Association. Again, none of these programs operate with Federal money or support.

For over 20 years, the Congressional Study Group on Germany has been a forum for lawmakers from Germany and the United States to communicate on issues of mutual concern. The study group was founded in 1983 as an informal group and was established as a formal organization in 1987.

The primary goal of the study group is to establish a forum for communication between Members of Congress and their counterparts in the German Bundestag. Ongoing study group activities include conducting a Distinguished Visitors Program at the U.S. Capitol for guests from Germany, sponsoring annual seminars involving Members of Congress and the Bundestag, and organizing a Senior Congressional Staff Study Tour to Germany each year.

The Congressional Study Group on Germany is funded primarily by the German Marshall Fund. That is the premier non-governmental organization with a transatlantic mission. Additional funding to assist with administrative expenses has been received from 12 corporations whose representatives now serve on a Business Advisory Council to the study group. The business group is chaired by former Member of Congress Tom Coleman, who as a Member from Missouri served as the chairman of the study group in 1989.

The study group has established itself as the most productive means of communication between the U.S. Congress and the German Bundestag. The Federal Republic of Germany is one of the most important allies that we have in the United States, and the study group has been instrumental in helping to cement transatlantic ties over the years.

The most visible activity of the group is the Distinguished Visitors Program, which enables Members of Congress to meet personally with high-

ranking German elected officials, such as Minister Joschka Fischer, Germany's Federal Minister of Foreign Affairs and Vice Chancellor of the Federal Republic of Germany, or President of the German Bundestag, Wolfgang Thierse.

The highlights of each programming year is the Congressional Study Group on Germany's annual seminar. Every year the study group brings Members of Congress together with German legislators for several days of focused discussion on a predetermined agenda. The parliamentarians usually are joined by several former Members, officials of the two federal governments, think-tank and foundation representatives and members of the German-American business community.

This year's seminar was held in Berlin, Brussels, and Frankfurt from March 18 to March 24. A delegation of six sitting Members of Congress had the opportunity to meet during this week with about a dozen members of the Bundestag. In addition, we had a meeting with Chancellor Gerhard Schroeder and his foreign policy advisor, as well as Germany's President, Horst Koehler.

In Brussels, in addition to several other meetings, we had the chance to discuss trade relations with EU Commissioner for External Trade, Mr. Peter Mandelson.

The last leg of the annual seminar took place in Frankfurt, headquarters of the European Central Bank. The President of the bank, Mr. Jean-Claude Trichet, met with the group to talk about the European Union's monetary policies.

We ended our visit to Germany by visiting the Landstuhl Military Hospital, where the Members of Congress spent time visiting with wounded U.S. servicemen and -women returning from Iraq.

During our meetings, we focused the discussion on solidifying the U.S.-German relationship in the spirit of President Bush's visit to Europe this past February. We also exchanged views on the role of NATO, cooperation in the war on terrorism, and transatlantic trade and investment questions.

A reoccurring topic was the EU's proposal to lift its arms embargo with China. Our delegation unanimously manifested its disagreement with this measure, and certainly sent a message to the German legislators to rethink this proposal.

A report about the activities of the Congressional Study Group on Germany would be incomplete without thanking its financial supporters. First and foremost, one needs to thank Craig Kennedy and the German Marshall Fund of the United States, since without him and his foundation the study group could not function at its present level of activity.

We also cannot forget Tom Coleman, a member of our organization who chairs the Business Advisory Council. His tremendous dedication in raising

much-needed funds to support the administrative side of the study group has been essential. He has put together a group of companies that deserve our gratitude for giving their aid and support to cover the overhead of the program. They are Allianz, BASF, DaimlerChrysler, Deutsche Telekom, DHL, EDS, Lockheed Martin, RGIT, RWE, SAP, Siemens, and Volkswagen.

The Congressional Study Group on Germany is an example of how the Former Members Association provides an educational service to current Members and aids in the foreign relations efforts of this country. I think we can be very proud of the work we do to make this group possible, and I look forward to being an active participant in the activities of the Congressional Study Group on Germany for many years to come.

Modeled after the Congressional Study Group on Germany, the association established a Congressional Study Group on Turkey at the beginning of this year. Turkey, one of our strategic allies, is situated at the crossroads of many important challenges of the 21st century. Peace in the greater Middle East, expansion of the European Union, and the transformation of NATO are all definitely issues that this study group will entertain.

Mr. BUECHNER (presiding). I now yield to our Speaker pro tem, Mr. Slatery of Kansas, to comment on this exciting new endeavor of the Association.

Mr. SLATTERY. I guess it is permissible for me to speak from this side, right?

Mr. Speaker, it is a pleasure for me to report on this new project that the association is undertaking. At the beginning of this year, the association established the Congressional Study Group on Turkey. The study group is modeled after our flagship international program, the Congressional Study Group on Germany.

The study group on Turkey brings former and current Members of Congress together with their legislative peers, government officials and business representatives in Turkey and serves as a platform for all participants to learn about U.S.-Turkey relationships firsthand.

Thanks to funding from the Economic Policy Research Institute, a new think-tank established by the Turkish business association TOBB, the study group has started a Distinguished Visitors Program in Washington. This program involves events for Members of Congress such as roundtable discussions or breakfast-luncheon panels featuring visiting dignitaries from Turkey. The events take place every 6 to 8 weeks on Capitol Hill and focus on critical issues relating to the bilateral relationship between Turkey and the United States.

Additional support from the German Marshall Fund of the United States has allowed the study group to initiate the first U.S.-Turkey seminar, which we hope will become a yearly event.

The seminar is a week-long conference for U.S. Members of Congress to discuss areas of mutual concern with their legislative counterparts in Turkey. The 2005 U.S.-Turkey seminar will take place in Ankara, Istanbul and Cyprus at the end of this month. This year, participants will examine topics such as democratization in the Middle East, the war on terror, and Turkey's membership negotiations with the European Union.

The U.S. Association of Former Members of Congress is very pleased to add this study group to its portfolio of international programs. It is certain to attract great interest in Washington and in Ankara.

Let me just add to this that I want to encourage all of you that are here today and those that may be watching this on C-SPAN to be aware that this association is really undertaking greater responsibilities in this international work. I am very excited about the opportunity that members of this association have to contribute to democracy-building efforts around the world. I think it is going to present a very, very rewarding opportunity for former Members to continue their service to this country in a very worthwhile international endeavor.

I want to bring that to your attention, and I hope that all of you will take a greater interest in the work of the association as we expand this international work.

Mr. SLATTERY (presiding). Mr. Buechner.

Mr. BUECHNER. Thank you, Mr. Speaker. Staff has notes here: "Do not trip during exchange of places."

Thank you for your report, Jim. We are all very excited about this new undertaking.

Mr. Speaker, the association also serves as the Secretariat for the Congressional Study Group on Japan and the Congressional Study Group on Mexico.

Founded in 1993 in cooperation with the East-West Center in Hawaii, the Congressional Study Group on Japan is a bipartisan group of 71 sitting Members of the House and Senate, with an additional 36 Members having asked to be kept informed of study group activities. The Congressional Study Group on Japan arranges opportunities for Members of Congress to meet with their counterparts in the Japanese Diet, in addition to organizing discussions for Members to hear from American and Japanese experts. The Congressional Study Group on Japan is funded via a generous grant from the Japan-U.S. Friendship Commission.

Last, but not least, the association administers the Congressional Study Group on Mexico. U.S.-Mexican relations are a priority, and not solely defined by the issue of immigration. The Congressional Study Group on Mexico is a unique organization in that it serves as a bipartisan forum for U.S. legislators from both the House and Senate to engage on issue-specific dia-

logue with Mexican elected officials and government representatives.

The goal of the group is for the two countries' political decisionmakers to receive a comprehensive picture of the issues revolving around U.S.-Mexico relations. The study group also replicates this forum for senior congressional staff. Topics such as border security, trade and narcotics trafficking are just a sample of the subjects pertinent to the bilateral relationship with Mexico.

In addition to these exciting programs involving sitting Members of Congress, the association is extremely pleased to have created this year a new international program exclusively for the former Members of Congress, the Former Members Committee on France.

The goal of this project is to involve former Members of Congress in the transatlantic dialogue, a little bit frayed around the edges in the last few years, between Washington and Paris. We believe that our membership can contribute greatly to bringing about a better understanding of the issues governing U.S.-French relations to both the U.S. Congress and the French National Assembly. We have had several panel discussions and meetings involving visiting French dignitaries, such as current French senators serving on their International Relations Committee.

In addition, our Members have had the opportunity to hold small group discussions on issues such as lifting the weapons ban on China; and we have had those discussions not just with staff and embassy personnel, but also with current members of the French Parliament.

We are working closely with France's ambassador to the United States, Jean-David Levitte, and are currently looking forward to many more opportunities to contribute to this important relationship.

Mr. Speaker, as you can see, there have been many thrilling new developments in 2004 and 2005 for our association, such as the Congressional Study Group on Turkey or the Former Members Committee on France. But few undertakings have energized and excited our membership as our foray into election monitoring.

During 2004, the U.S. Association of Former Members sent almost 60 of our Members on campaign monitoring and election observation missions abroad. The association has a long history of participating in legislative-strengthening programs, for example in Hungary, Macedonia or Slovakia; but we have never utilized the unique experience and knowledge of our members in an election-monitoring project until now.

I will first yield to one of our officers, Jay Rhodes of Arizona, to report on our activities in Ukraine, and then to association member Andy Maguire to our election-monitoring mission to Cameroon.

The SPEAKER pro tempore. The gentleman from Arizona, Mr. Rhodes.

Mr. RHODES. Thank you for giving me the opportunity to report to you on one of the, I think, most important undertakings this association has ever participated in. We were involved in a non-violent and peaceful revolution that changed a nation, hopefully for the better, hopefully permanently.

Through a partnership with the U.S.-Ukraine Foundation and a grant from the United States Agency for International Development, your association sent six separate bipartisan teams of six to 10 persons each to Ukraine, pardon me. Four of the teams monitored pre-election activities and two observed the actual elections, the first fraud-ridden November runoff, and the final historic runoff on December 26. In fact, we sent a team of approximately 30 former Members to that December 26 election, each of them obviously giving up their Christmas holidays.

Our members were each and all certified as international election observers by the Ukraine Government. We all scrupulously avoided any intimation that we were anything but neutral, supporting no candidate, no party, no election bloc. Each team was in the country for a week, and each team went far into the field, away from the major urban areas. Each had extensive meetings with representatives of political parties, government officials, election officials, candidates, the press, and the public.

We also met, of course, with U.S. officials from our embassy and from USAID. Our teams were joined by former Members of the European Union Parliament. We all experienced inconsistencies between what we were told by government and election officials and what we heard from candidates and from citizens.

After our time in the field, the teams returned to Kiev for debriefing and then departed for the States. Each team independently prepared a report on its experiences, and those reports were widely distributed among political, diplomatic, and media interests here, in Europe and in Ukraine.

Each team independently and drawing from its own experiences concluded that the election as currently being conducted was not, not, going to be free and fair; that the government-supported candidate was being given a wide advantage at the expense of the other candidates; that other candidates had little or no access to the media; that government resources were being used to support one candidacy; that government-organized efforts were used to disrupt campaign efforts and events for other candidates; and that the election was going to be stolen. Virtually every "ordinary citizen" with whom we met, individually or in groups, fully expected that their election was going to be stolen.

Our team that returned for the November 21 election found numerous irregularities in the voting process and the counting procedures. Many of us witnessed events of multiple voting by

persons brought in to a particular area from other parts of the country by bus and by train. These events and problems were also witnessed by our European partners and other NGOs.

That evening, the evening of the election, or, more accurately, the morning after, at about 2:00 or 2:30 in the morning, after observing not just the voting but the vote counting process, we returned to Kiev to the hotel we were staying in, which happened to be just about half a block away from Independence Square in downtown Kiev. We arrived to the sound of voices, lots of voices.

We walked that half block down to Independence Square and witnessed the start of the Orange Revolution. There were easily at 2 o'clock in the morning after the elections 100,000 people in Independence Square. This was the start. No announcements had been made about any votes at that point. Those people were there because they knew that their election had been stolen from them. This was the start of what was called the Orange Revolution, which resulted ultimately in the November 21 election being declared invalid and in the December 26 runoff election, which resulted in the ultimate inauguration of Victor Yushchenko as President of Ukraine.

There is no doubt that our effort had an impact and that we played a role in a historic event. None of us will say that we did this all by ourselves. There were a lot of people involved. But we were there, and I have no doubt that we made a difference.

We have unique perspectives, and we can play an important role in democracy building and strengthening and election monitoring; and this project has set a precedent for our association for future missions. In fact, your association is in the process of creating a new Institute For Election Monitoring in partnership with colleagues who are former members of Parliament from Canada and former members of the Parliament of the European Union. You will hear more about this effort later on.

In addition, we have discussed with Speaker HASTERT and will discuss next week with Leader PELOSI the effort that the Speaker announced to you just a moment ago, where we may be joining in an effort for democracy strengthening which had been launched by the House of Representatives yesterday. These efforts are very exciting, and they bode well for the future of your association.

I would like to say to you as a personal matter that witnessing the things that we saw in Ukraine and witnessing the will of people who are determined to express themselves and to have their expression felt and to make an impact on their government and on their country was for me one of the most moving experiences I have had in my life, and I am very grateful for having had that opportunity.

I am now pleased to yield to our colleague from New Jersey, Mr. Maguire,

who will report on our election-monitoring delegation to Cameroon.

Mr. MAGUIRE. Thank you very much, Jay. I was honored also to be a member of one of the missions to Ukraine, which Jay has just described so eloquently.

Mr. President, I would refer now to another election-monitoring project that the association participated in during 2004, the monitoring of the October presidential election in Cameroon.

From October 8 through 12, the association sent a delegation of six former Members, three Republicans and three Democrats, to Cameroon to serve as official election observers for the presidential election on October 11. The delegation received certification as official election observers from the Ministry of Territorial Administration and Decentralization in Cameroon in order to enable the delegation to travel and observe freely.

According to the constitution and laws of Cameroon, the people of Cameroon are entitled to express their views on candidates and parties at the ballot box freely and without interference from any source. The mission focused exclusively on the fairness of the election process and did not advocate for any particular candidate or party.

In Cameroon, the delegation split into three groups of two and traveled within the two major cities: Yaounde, the capital; and Douala, the financial center; and also in the English-speaking southwest province. In the days prior to the election, each group traveled extensively in their respective areas, meeting with political party members, government officials and opposition representatives, attending pro-government and opposition-party events, visiting regional and district offices in charge of organizing materials for election day, and scouting out polling stations.

On election day, the delegates visited a number of polling stations throughout the day in their respective areas. The delegates were present for the opening and closing of the polls and the counting of ballots after the polls closed at locations selected by the delegates.

We evaluated a number of factors, including but not limited to the presence or absence of confusion or intimidation at the polls, the posting and availability of voter registration lists and cards, and the mechanics and transparency of the voting process.

After observing the polls on election day, the full delegation reconvened in Yaounde for a series of meetings and a brief press conference before returning to the United States. The delegation issued a report following its return that was widely distributed in diplomatic and political communities in the United States and Cameroon.

The delegation reported that it did not witness enough irregularities to disapprove of the balloting process

itself, which, for the most part, proceeded in an orderly and transparent manner at the sites visited for those voters whose names did appear on the registration lists. But the delegation also concluded that structural, administrative, and equity issues must be examined and addressed to assure a free, open, and fair electoral process in Cameroon.

Violations witnessed by the delegation included confusion at polling stations, individuals denied the opportunity to vote because they were unable to find their name on the lists of registered voters, temporary police checkpoints set up between provinces that could contribute to voter intimidation, and media coverage heavily slanted to favor the incumbent.

Like most other credible observer groups that were in Cameroon, the delegation concluded that there was significant room for improvement in the administrative performance and technical competence required for full and fair operations of the voter registration process, the timely publishing nationally and in each locality of voter registration lists prior to election day, the delivery of voter registration cards, the training of polling commissions, representatives of the National Election Observatory, the training of political party representatives and other observers of the balloting process and also in the management and adjudication of any claims or charges of irregularities in connection with voter registration, campaigning, balloting and the electoral process overall.

As with our missions to Ukraine, it became apparent quickly how important a role former Members can play in this democracy-building field. I am thrilled that our association has commenced these types of activities, and I hope to be able to participate in future election-monitoring delegations.

Let me add that there are some spin-offs that are important that go beyond the monitoring of the election on election day. Let me mention three.

Our colleague, Robin Beard of Tennessee, who participated, I think, in four of the Ukraine missions, recently returned as a consultant on legislative strengthening, setting up a truly democratic process in the Parliament of Ukraine, and met with President Yushchenko and his top aides in that connection.

Another example, the Woodrow Wilson Center for International Affairs, headed by our colleague Lee Hamilton, recently put together a half-day program focused on what you do after the election: how do you continue to be involved in the process of reform after the election has taken place when there are serious problems that need to be addressed, as is the case in many countries today. That session was led by former Canadian Prime Minister Joe Clark, and I think it really does set us forward in a very useful way now on what Joe Clark referred to as the practice of follow-on to elections.

Our colleague Robin Beard and I have also had the great pleasure of joining together at the National Defense University on two occasions to talk with senior people from the military community, the security community, and the foreign policy community of 20 Near East and South Asian nations, again talking about the election process, about politics in this country, about the way the world is changing in a democratic direction.

So, Mr. President, I am delighted to present this report on behalf of the association, and I thank you very much for your acknowledging me.

□ 1000

Mr. BUECHNER. Thank you Jay and Andy.

Mr. Speaker, there are several other activities of the U.S. Association of Former Members of Congress which deserve to be highlighted today. One certainly is our Annual Statesmanship Award Dinner, chaired so exceptionally by Lou Frey of Florida. I would like to yield to Mr. Frey to report on the dinner we just held in March.

Mr. FREY. Thank you, Mr. President. Senator Coats, Ambassador Coats leaned over to me about all this good we are doing and how we are involved with democratization, and wondered if we would be available on the other side of the Capitol.

Sometimes a good idea is not a good idea. But about 8 years ago we had no source of fundraising outside of our dues. And I was president, and proposed that we have an Annual Statesmanship Award Dinner. And everybody thought it was a good idea. The only bad side is we did not have a chairman. And so 8 years later, I have had the privilege of chairing this dinner, and it has really become an institution in Washington now. We have had over 400 people at each and every dinner.

We not only have the dinner itself, but we have a wonderful congressional and presidential auction, which our colleague, Jimmy Hayes, works all year on doing, and it has been an event that has been really memorable in a lot of ways.

Just for your memory, the past recipients are Dan Glickman, Lee Hamilton, Lynn Martin, Norm Mineta, Vice President CHENEY, Secretary Rumsfeld. And one of, I think, the highlights was the World War II generation represented by our own Bob Michel, by Bob Dole, by Sam Gibbons, by John Glenn and by George McGovern.

For any who missed that dinner, you just missed an incredibly touching and wonderful evening. And the stories they told were great. Sam Gibbons, jumping out of his airplane with a six pack of beer. And just wonderful. And I believe our records show that we had over 161 men and women who served in some capacity in World War II as Members of Congress.

Our last honoree was John Breaux of Louisiana. And of course John is noted for working with people on both sides

of the aisle. And again, it was a good evening.

We did have a highlight on our trip to France in that we had run into a French Count whose family goes back to William the Conqueror. And he had a beautiful chalet over there, and we auctioned it off, and he got carried away. He was going to give a weekend, but he ended up giving a week. He had had probably a few glasses of milk or something along the line. And we ended up with a very nice amount for it for a week. And it was one of the live auction items.

One of the other things we have tried to do, we mentioned the "Congress to Campus" program, is the fact that every time we are out there people have said, look, this is interesting, it really is, but this is not textbook. I mean, what is it really like? You people are talking about that. Why do you not write it down? So we decided we would do that. And we had 38 former Members of the House and Senate write chapters for the book called "Inside the House". It is used on a number of campuses. It is used in the War College out in Monterey. And it is a good book. It is an interesting book. And we are going to update it a little bit. And we are going to write another book which some of you, I hope, have, I know some of you have responded. Some of you have responded, and it is called "The Rules of the Road".

Barber Conable, you know, had one of the rules, just a wonderful guy who is not with us anymore. But his rule was, "Never act on an economic policy that you can put on a bumper sticker." You know, mine were pretty simple. "Do not fight with the press". "If you have to explain, you are in trouble." And "never retreat; attack in a different direction."

What we are trying to do is to get from each and every one of you what your rules are, a little explanation of it. The University Press is willing to publish it again, and it will be a lot easier if you write me back than if I have to call you. So I would appreciate you doing it. Everybody will be in the book. I hope to get about 250 or at least 300 of these to the book. And I am enjoying getting the answers back.

Mr. MAZZOLI. Will the gentleman yield briefly?

Mr. FREY. Yes. The gentleman from Kentucky, my good friend.

Mr. MAZZOLI. I want to commend the gentleman for his great leadership in the organization and chairmanship of the dinner, and I would like to remind the gentleman that he was almost like a drill sergeant, ferreting out information from those of us who contributed to "Inside the House". And I did not want to have to suffer the same kind of challenge this time, so I have here my contribution to "Rules of the Road". I just did not want Lou Frey on my case for the next 6 months, so here it is, Lou.

Mr. FREY. Thank you. I appreciate that. Thank you, Mr. President. I ap-

preciate the opportunity to make the report.

Mr. BUECHNER. Thank you, Lou. And again, your invaluable leadership has made the Annual Statesmanship Award Dinner the tremendous success it has been each year.

Mr. Speaker, allow me to just briefly highlight the other activities of our Association during 2004. In December of last year the Association hosted its Life After Congress Seminar. The purpose of that conference was to ease the transition away from Capitol Hill for those sitting Members who would not return for the next Congress. We assembled a panel of Congressional support staff to outline the services available to retiring Members, as well as a panel of former Members who have pursued careers in a variety of different fields.

In addition, Dana Martin, the Chair of the Association's Auxiliary, spoke about some of the opportunities available to spouses of former Members, a very informative and worthwhile session.

The Association also organizes Study Tours for its members and their spouses who, at their own expense, have participated in education and cultural visits to places such as Australia, Canada, China, Vietnam, the former Soviet Union, Mexico and Western and Eastern Europe. In 2004, the 60th anniversary of D-Day was the occasion to bring a group of 20 former Members and spouses to France. They spent 3 days in Paris, met with the Ambassador, French legislators, French Foreign Ministry. Our colleague, Connie Morella, who serves currently as the U.S. Ambassador to the Organization for Economic Cooperation and Development, hosted a meeting.

Following that, they went to Normandy and spent several days touring D-Day sites. It was a momentous occasion to participate in a wreath-laying ceremony, and former Members were involved in the lowering of the flag of the United States as Taps was played; unbelievable experiences that will stay with them for a lifetime.

Those are just some of the other activities we have. We have an annual golf tournament at Andrews Air Force Base, and the Association's Auxiliary has other functions.

Mr. Speaker, the Association benefits tremendously from the efforts and leadership of many people. I would like to, as the president, thank the other officers of the Association, you, Jim Slattery, Jay Rhodes, Dennis Hertel and Larry LaRocco, the members of our Board of Directors and our counselors for providing excellent guidance and support through the year.

I would like to also recognize the work our staff has done. Rebecca Zylberman and Michael Taylor are two tremendous assets that we have. Sudha David-Wilp is a young woman who has taken over international programming, and I think you can just hear in what we have talked about for the study

groups, she has done a magnificent job. But especially I need to point out that Peter Weichlein, who was the head of our international programs until Linda Reed retired, and he is now Executive Director, he has done just a magnificent job on the interrelationship, both with the sitting Members of Congress, with all the study group participants and keeping our membership aware of what was going on in the world.

Mr. Speaker, we are also pleased today to have with us several representatives of former parliamentarian associations abroad. From the Canadian Association of Former Parliamentarians, we are joined by, and would you please stand when I say your name, Doug Rowland, Derrek Konrad, and Walter Van der Walle. From the Association of Former Members of the European Parliament, we are thrilled to have with us Lord Henry Plumb, James Moorhouse, Richard Balfe and Fearghas O'Beara. And from the Association of the Former Members of the Parliament of New Zealand, we are delighted to welcome Maurice McTigue. And from the Ontario Association of Former Parliamentarians, we are joined by the Reverend Canon Derwyn Shea and Mr. John Parker.

Mr. Speaker, this is the largest number of foreign dignitaries we have ever had join us. I cannot call a Canadian a foreign dignitary. I am sorry. But friends to the north, okay?

And we are truly honored that you all have made the journey to Washington so that we can continue working with each other and learning from each other.

Mr. Speaker, this is my sad part of my presentation, is to inform the House of those persons who served in Congress and have passed away since our report last year. They are, Brock Adams of Washington, Alphonzo Bell of California, Tom Bevil of Alabama, Don Brotzman of Colorado, Shirley Chisholm of New York, Tom Foglietta of Pennsylvania, Hiram Fong of Hawaii, William Ford of Michigan, Tillie Fowler of Florida, Ronald "Bo" Ginn of Georgia, Lamar Gudgeon of North Carolina, Edwin Arthur Hall of New York, Howell Heflin of Alabama, Frank Jefferson Horton of New York, Tom Kindness of Ohio, William Lehman of Florida, James Armstrong MacKay of Georgia, Robert Matsui of California, Catherine Dean May of Washington, Robert Price of Texas, Peter Rodino of New Jersey, Pierre Salinger of California and James Patrick Sutton of Tennessee.

I ask all of you, including the visitors in the gallery, would you please rise for a moment of silence as we pay our respects to the memory of these fallen elected representatives. Thank you.

Mr. Speaker, as you know, each year the Association presents a distinguished service award to an outstanding public servant and former Member of Congress. The award rotates between parties, as do our officers.

Last year we presented the award to an extraordinary Democrat, Sam Nunn. This year we are pleased to be honoring a remarkable Republican, former Representative, Senator and Ambassador Dan Coats of Indiana.

Dan commenced his long service to the Nation when he joined the Army in 1966, serving until 1968. After some years in private law practice and as a district representative for then Congressman Dan Quayle, Dan Coats was elected to the House of Representatives in 1981. He served in the House until being sworn in as Senator in January 1989, where he represented Indiana until 1999.

While in Congress, Dan Coats was a member of several high profile committees, including the Armed Services Committee, the Senate Select Committee on Intelligence and the House Energy and Commerce Committee. He was also a member of the Senate leadership, serving as Midwest Regional Whip.

He continued his long and distinguished service to the country when he represented the United States as its Ambassador to Germany, from August 2001 until February 2005. As we all well know, the recent strain on U.S.-German relations required a diplomat of the highest skill set, and we applaud our former colleague for the exceptional way in which he conducted the business of the United States of America.

On behalf of the Association of Former Members of Congress, I am delighted to present our Distinguished Service Award to the Honorable Dan Coats. I am going to read what it says on the plaque: Presented by the U.S. Association of Former Members of Congress to Ambassador Daniel Ray Coats for over 20 years of commendable public service to his beloved State of Indiana and to the Nation.

Dan Coats served from 1981 to 1989 in the U.S. House, and from 1989 to 1999 as a United States Senator. As a legislator he comfortably worked with his colleagues from both sides of the aisle, especially if he could benefit America's families and children. He continued his exemplary service to country by acting as U.S. Ambassador to Germany from 2001 until 2005, representing the United States with skill and distinction during the often challenging post-September 11 period. His former colleagues applaud and recognize his distinguished career in public service, Washington, DC, May 19, 2005.

And Dan, I am also pleased to present you with a scrapbook of letters from colleagues offering their congratulations for this well-deserved symbol of our respect, appreciation and affection. We would be pleased to receive some comments from you.

Mr. COATS. President Jack and Vice President Jim, Leader Bob, and my chairman, Jim Broyhill and friends who I had the very distinct privilege of serving with in this place, it occurs to me that there are more people listen-

ing to me speak now than I ever had when I spoke in the House of Representatives or in the Senate.

It also occurs to me that, as someone who did serve in that other body, I could go on for an interminable amount of time. But I am now back in the House of Representatives, and so I am conscious of the gavel coming down behind me within a 5-minute period. So I will be very, very brief.

It is a great honor to be honored by your peers. I suspect that this had something to do with my Ambassadorship to Germany, although I cannot quite figure out why I was given this award since, under my watch, we took relations all the way back to the Spring of 1945. It was a challenging time, as Jack said. And I think that one thing I learned for sure was, given the very significant political tensions that existed between our President and the Chancellor of Germany, between our countries, the very rightful sense of disappointment, to say the least, over the lack of support from a friend that we had lent incredible amount of support, including the lives of many, many Americans to liberate that country from the scourge of Naziism. It was a difficult time for Americans to understand how that could happen.

One of the things that sustained us was, and I believe the most important thing that sustained us were the relationships that had been forged since those postwar times by the more than 13 million American troops that had served in Germany and their relationships with German townspeople and people in political office and just every day, ordinary, on the street Germans, the business ties that exist between our two countries, and just, as perhaps more importantly than any of those were the relationships that had been forged through the connections between Members and particularly former Members, the study group and others, between German parliamentarians and Germans in office and in high places. Those relationships maintained our special relationship with Germany that has existed since 1945, and saw us through all those difficult times.

The study group we were privileged to host over there, to have Members come over. We were privileged to have others come and speak to parliamentarians, to share breakfast, lunch and dinner, share thoughts, business groups exchanging, all of those sustained us through that, and I can report, on leaving there in February of 2005, relations had dramatically improved with our new Secretary of State's visit, which was an astounding success, followed by the President's visit 2 weeks later. And so we are back on the track where we should be. Still some work to do, but certainly on the uptick rather than where we were in 2002, 2003. So, for whatever I was able to contribute to that, I am appreciative of the opportunity of having, being able to serve there.

I am most appreciative of the time that I have had in this august Chamber. I walked in and saw Billy Pitts and Bob Michel, and friends who served with me during that time, and it was a real throwback and took me back to some great memories. I felt like running up to Billy and saying, how long is this going to last? When are we going to catch the plane back home?

So thank you very much for honoring me. I join a distinguished list of people that were named in receiving this honor and I am greatly honored, and will display this plaque in a very prominent place in my office and remember fondly my days here in this House of Representatives and my association with so many of you. Thank you.

Mr. BUECHNER. Again, Dan, thank you for your service and your leadership during some challenging times.

Mr. Speaker, the Members of the association were honored and proud to serve in the United States Congress. We are continuing our service to the Nation in other ways now, but hopefully, ones that are equally effective. Again, thank you for letting us return today to this Chamber that means so much to us.

This concludes our 35th annual report by the U.S. Association of former Members of Congress.

The SPEAKER pro tempore (Mr. Slattery.) The gentleman from Maryland would like to be recognized (Mr. HOYER).

Mr. HOYER. I asked my dear, dear friend of a long time, Speaker Michel, glad to have you here. You former Members, I want you to know that at one point in time I went up to RAY LAHOOD in 1995. I would particularly like my Republican friends to hear this. I went up to RAY LAHOOD, who was presiding in 1995. I went up to him and I said, look, we have got 197 Democrats, and if you could just get 20 Republicans, we will elect Bob Michel speaker. But LAHOOD could not deliver, Bob. I do not know what happened.

But I always like the opportunity to come and visit with those of you who have served so well in this Congress and provided for us such an outstanding institution in which to serve. It is a little more acrimonious than when most of you served here. Perhaps that will, at some point in time, get better. But in any event, on behalf of all of us who still serve here and who have benefited by what you have done through the years, thank you very much. And I hope that you have had a great visit back.

We see you often. I see Bob on a very regular basis, but I hope that all of you are doing well. Thank you for your assistance through the years. Thank you very much.

The SPEAKER pro tempore. Thank you, Mr. President. The Chair again wishes to thank the former Members of Congress for their presence here today. And for those of you who have not had an opportunity to record your presence

with the Clerk, I would invite you to do so at this time. Good luck to all of you.

The Chair would advise that the House will reconvene at approximately 10:35.

Accordingly (at 10 o'clock and 20 minutes a.m.), the House continued in recess.

□ 1030

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOOZMAN) at 10 o'clock and 35 minutes a.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the recess have the privilege of revising and extending their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will receive up to 10 one-minute speeches on each side.

END FILIBUSTER AGAINST PRISCILLA OWEN

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, throughout her career, Judge Priscilla Owen has received support from across the ideological spectrum. In 2000 she was overwhelmingly reelected to a second term on the Texas Supreme Court, receiving 84 percent of the vote. Every major newspaper in Texas endorsed her for election.

Her popularity stems from her excellence on the bench and in private practice where she distinguished herself as a litigator after earning the highest score in the State on the Texas bar exam in 1977.

On May 9, 2001, Priscilla Owen was nominated to the Fifth Circuit Court. The nomination is supported by three former Democrat judges on the Texas Supreme Court, a bipartisan group of 15 past presidents of the State Bar of Texas. However, on five separate occasions in the U.S. Senate, Democrats succeeded in blocking the vote on the floor, even though she has the votes to be confirmed, because of partisanship and politics.

Today political maneuverings stand and Judge Owen's courtroom stands

empty. Senate Democrats are holding qualified judges hostage to their extremist views and disrupting the constitutional process. That is wrong, unprecedented, and it should stop.

STOP THE WEAPONIZATION OF SPACE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, the administration, through senior Air Force officials, wants the U.S. to achieve military supremacy in outer space. Dominating all earth from outer space will have an out-of-world price tag, perhaps more than \$1 trillion.

A question: Why reach for the stars with guns in our hands? Are there weapons of mass destruction on Mars?

Yesterday 28 Members of Congress signed on to H.R. 2420, a bill to stop the weaponization of space, urging the President to sign an international treaty to ban such weapons. If we work together towards creating peace on earth, we would not bring war to the high heavens.

While some fantasize about being "masters of the universe," there are 45 million Americans without health insurance. Corporations are reneging on pension obligations. Social Security is under attack. We are headed towards a \$400 billion annual budget deficit, a \$600 billion trade deficit, an \$8 trillion national debt. The cost of the war in Iraq is over \$200 billion. While we build new bases in Iraq, we close them in the United States.

Earth to Washington, D.C. Earth to Washington, D.C. D.C., call home.

ENSURING A STABLE VACCINE SUPPLY

(Mr. MURPHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY. Mr. Speaker, two quick health care issues. Each year vaccinations save \$52 billion in health care costs and 33,000 lives. However, the government's policy of selecting the lowest bidder, combined with a fear of lawsuits, has driven manufacturers out of the United States. This contributed to last year's flu vaccine shortage, where 30 million doses were lost due when a foreign manufacturer's supply was contaminated. The U.S. Congress needs to follow through with incentives to secure more U.S.-based vaccine manufacturers.

Secondly, today's news in the paper about Type II diabetes was disturbing. One point two million more cases appear per year, costing \$132 billion. Type II diabetes is caused by poor diet and lack of exercise, and as Members of Congress we need to urge all Americans to make sure they take better care of themselves for this disease that causes stroke, heart attack, kidney failure,

and blindness. The risks are huge. The costs are huge. The benefits are great if we take better care of ourselves.

SAVERS CREDIT

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Mr. Speaker, for millions of Americans their retirement has become less, not more, secure. Part of the problem is that we are not saving enough. Half of all Americans do not participate in employer-sponsored retirement plans, and for 28 million households they have no retirement plans outside of Social Security.

A savings crisis in America, combined with privatizing Social Security, is a recipe for disaster. As the collapse of the United Airlines pension demonstrates, Social Security is a key to retirement security for many Americans. We must preserve Social Security while we encourage Americans to save more for their retirement.

Here are four ideas: Automatic enrollment in 401(k)'s for all Americans; direct deposit of their tax refunds into their savings plans; government match for the first \$2,000 they save, matching it by 50 percent; and universal 401(k)'s to simplify and consolidate the 16 different tax savings plans on the tax rolls.

Mr. Speaker, a saving crisis faces America, but we can do something about it. We should act now to encourage more Americans to save for their retirement while strengthening Social Security, not privatizing it.

NASCAR

(Mr. HAYES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYES. Mr. Speaker, the State of North Carolina is a proud home to a great American racing tradition: NASCAR. This weekend Lowes Motor Speedway in Concord will host the NASCAR Nextel Cup All Star Race, and folks from all across the country and around the world will come to watch the world's best drivers race for the finish.

My hometown of Concord is proud of its partnership with the racing industry and is home to many NASCAR drivers and teams. The Charlotte area has also joined together to attract the NASCAR Hall of Fame. We are excited about the possibility of this prestigious attraction calling North Carolina home.

Today I would like to take a moment to commend NASCAR, a tremendous industry and job provider in North Carolina, for its efforts to give back to the community. With its growing popularity, the sport provides entertainment for families, support for charities, and a huge economic boost for our region. I am also especially grate-

ful for NASCAR's support of Dell TechKnow, a technology program for our schools. It is making an impact for kids in education. Even more important is NASCAR's support of our incredible military.

Tomorrow, May 20, I will join fans across the country celebrating NASCAR Day, which means support for numerous charities, our men and uniform, and jobs for Americans. NASCAR Day is an opportunity to bring fans, businesses, and community organizations across the Nation together for common cause while giving to NASCAR-related charities and making a difference in the lives of children. It supports charities such as Victory Junction Camp, Speediatrics, and Speedway Children's Charity, all meeting needs and providing support for children with chronic and life-threatening illnesses.

Mr. Speaker, I commend NASCAR, and if we ever add an extra line to the "Star Spangled Banner," it will be "Gentlemen, start your engines."

THE JUDICIARY AND THE RULE OF LAW

(Mr. MILLER of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. MILLER of North Carolina. Mr. Speaker, the presidential election in 2000 was effectively decided by the Supreme Court. In his dissent, Justice Stephens said: "It is the confidence in the men and women who administer the judicial system that is the true backbone of the rule of law . . . Although we may never know with complete certainty the identity of the winner of this year's presidential election, the identity of the loser is perfectly clear: It is the Nation's confidence in the judge as an impartial guardian of the rule of law."

Mr. Speaker, Americans, Democrats and Republicans alike did accept the Supreme Court's decision and the legitimacy of President Bush's election. But, Mr. Speaker, what confidence will Americans have in judges nominated without consultation, without the advice and consent that the Constitution provides for, and confirmed by a bare majority despite strong objections to the impartiality of those judges, confirmed only by shamelessly ignoring the rules that have governed the Senate for more than two centuries? Mr. Speaker, why should Americans accept the decisions of those judges as legitimate? And, Mr. Speaker, just what will be left of the rule of law?

COMMENDING SENATE FOR COURAGEOUS ACTION

(Mr. CARTER asked and was given permission to address the House for 1 minute.)

Mr. CARTER. Mr. Speaker, the Constitution of the United States designed by our Founding Fathers set up a system of establishing a judiciary. And in

that establishment, they intended for the President of the United States to nominate people on the bench and they intended for the Senate to give advice and consent to that nomination and, by an up-or-down vote, vote on whether or not those people can serve for life in the United States judiciary.

□ 1045

We are seeing today a constitutional challenge that is being met by the Senate as they go forward and meet their constitutional duty for an up-or-down vote for the judiciary and the nominees that have been proposed for our Federal judiciary.

Mr. Speaker, we expect fair and impartial judges to be appointed to the court; and just because they do not meet our political litmus test, we should not allow anyone to intervene with our constitutional duty which we take an oath to preserve, protect, and defend the Constitution of the United States as we have served in these offices.

I commend the Senate for the courageous act that they will go forward and do in the following weeks.

REPUBLICAN ABUSES OF POWER

(Ms. BERKLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BERKLEY. Mr. Speaker, our Founding Fathers envisioned Congress would deliberate, collaborate, and then judiciously compromise on the key issues of the day. Here in the House, the Republican majority refuses to collaborate, deliberate, or compromise. The House leadership consistently abuses its power by preventing the minority from offering its ideas on the floor.

Fortunately, in the Senate, the Republican majority cannot force its will on the minority so easily. One of the tools of the Senate for more than 200 years is the filibuster, a rule that protects the rights of the minority and prevents the majority from having absolute power. It is a critical tool in the checks and balances that exist between the branches of government.

Today, Senate Republicans are preparing to do something that has never been done before: abolish the rights of the minority to filibuster judicial appointments.

This extreme power grab would seriously undermine our Nation's checks and balances. Like their colleagues in the House, Senate Republicans want absolute power, even though Americans know that our country works best when no political power is in absolute control.

As a Nevadan, I want to personally thank Nevada Senator HARRY REID for leading the fight in the Senate to protect and preserve the constitutional form of government that we enjoy in this country.

BAKASSI PENINSULA

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, today I would like to draw my colleagues' attention to a situation in Africa.

President Abasanjo of Nigeria promised, as a result of a lawsuit several years ago, to withdraw Nigerian troops from the Bakassi Peninsula in the Republic of Cameroon. Today he has not done this, and it is time we see some action from Nigeria.

As the president of the African Union, President Obasanjo has an obligation to set an example for the rest of the African nations by adhering to the International Court of Justice's decision and obey the rule of law.

I call on President Abasanjo to withdraw all Nigerian troops from the Bakassi Peninsula and return the Bakassi Peninsula to its rightful owner, the fine Republic of Cameroon.

DEMOCRATIC WOMEN UNITED
AGAINST GOP ABUSE OF POWER

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Mr. Speaker, today I rise to denounce the Republican abuse of power. Right now, the Senate Republicans are trying to jam through judicial nominations that will hurt the American people, as well as women.

Specifically, I am extremely concerned about the nomination of Janice Rogers Brown from California. Her views are out of the mainstream and out of touch with American values, and this is why: she was the only member of the California Supreme Court to find that a jury should not hear expert testimony in a domestic violence case about Battered Women Syndrome. Janice Rogers Brown was the only member of the court to oppose an effort to stop the sale of cigarettes to children. She even said that a manager could use racial slurs against his Latino employees.

Her record is clear. She does not protect the rights of workers, women, or minorities. She is so far out of the mainstream that she, in my opinion, is viewed as extreme. We cannot allow the Senate Republicans to abuse their power to jam through such extreme judicial appointments.

Our current and effective system of checks and balances protects our judicial branch. The American public must be shielded from individuals like her.

JUDICIAL NOMINEES

(Mr. BONNER asked and was given permission to address the House for 1 minute.)

Mr. BONNER. Mr. Speaker, I rise today to voice my strong concern over the unconscionable and harmful stall-

ing tactics we are seeing in the confirmation process over in the other body with regard to several qualified judicial nominees.

Two in particular, Justice Janice Rogers Brown, the nominee that the gentlewoman was speaking about just a minute ago, and Judge Bill Pryor, are outstanding jurists; and I am proud that they are both natives of my home State of Alabama.

Justice Brown is a native of Luverne and the daughter of a sharecropper. She has enjoyed an extremely successful career beginning on the Third District Court of Appeals in California and continuing for the past 9 years on that State's State Supreme Court. Judge Pryor, a native of Mobile, was one of our State's finest attorneys general and served with distinction during his temporary appointment on the 11th circuit of the Court of Appeals.

Both of these individuals are experts in their field, and both of them represent the finest in legal minds anywhere in this country, and they deserve a vote.

MOURNING THE LOSS OF LANCE
CORPORAL JONATHAN GRANT

(Mr. UDALL of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to honor the life of Lance Corporal Jonathan Walter Grant.

Jonathan lived his life by always putting others first. Last Wednesday, he made the ultimate sacrifice while serving in Iraq.

Lance Corporal Grant was among the six Marines killed during combat in Operation Matador when their troop transporter rolled over a road-side bomb in the Al Anbar Province.

Just 23 years old, Jonathan lived his life always showing courage and maturity beyond his years. He was born in the Pojoaque Valley of New Mexico and raised by his grandmother, Margie Warner, whom he loved dearly. He received his General Equivalency Diploma in the year 2000 and joined the Marines in the year 2002, working the entire time to support his family and build his future.

Our heartfelt prayers and sympathies are with Jonathan's family and friends during their time of great loss. We will always remember his bravery and the sacrifice he made while serving our great Nation.

CHINA SAFEGUARD
IMPLEMENTATION

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise today to congratulate and commend President Bush and the Committee on Implementation of Textile Agreements for recently implementing safeguards

against Chinese imports of cotton shirts, cotton trousers, and cotton and man-made fiber underwear. Since the lifting of quotas by the WTO in January, shorts, trousers, and underwear, which represent more textile jobs than any other sector in America, have been under attack due to the flood of Chinese imports currently coming into our country. This fast action will save thousands of textile jobs in this country and in my district.

However, Mr. Speaker, I was disheartened to hear the comments on the safeguard sanctions made by the spokesman for the Chinese Ministry of Commerce. He said in a statement that China believes its exports of cotton knit shirts, trousers, and man-made underwear have not disrupted the U.S. market. I think a 1,573 percent increase and a 1,277 percent increase in the first 3 months of this year constitute a market disruption. Let me repeat, those numbers are for the first 3 months of the year. Think what would happen if we did not implement the China safeguards.

The Ministry of Commerce went on to say, The U.S. decision runs counter to the World Trade Organization's agreements on trade of textile and apparel products and deviates from the WTO spirit of free trade.

I took specific note of this statement because China's idea of fair trade is government subsidies of its textile and apparel exports to the United States, currency manipulation, export tax rebates, forgiveness of loans by its government banks, and direct payments to its State-owned textile and apparel industry. Fortunately, the rest of the world does not think like the Chinese.

I applaud Secretary GUTIERREZ and his panel for helping to level the playing field for our domestic textile and manufacturing.

REPUBLICAN ABUSES OF POWER

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, 36 years ago, Republican Senator Howard Baker took to the Senate floor during a Republican-led filibuster of Abe Fortas, President Johnson's nominee to be Chief Justice of the Supreme Court. Senator Baker justified the Republican filibuster by stating, "On any issue the majority, at any given moment, is not always right."

Some people might be surprised that Senate Republicans led a filibuster against a judicial nominee. After all, Senator FRIST continues to claim all judicial appointees are entitled to an up-or-down vote, no matter what. It is a disingenuous statement when he himself and other proponents of this extreme measure have used the filibuster to delay and defeat judicial nominations of the past. It is a hypocritical statement when the Republican majority in the Senate derailed and defeated 65 of President Clinton's judicial nominations without ever permitting them

a vote or even a hearing, not a vote in committee, not a vote on the floor.

And now that the Republicans are in the majority and have a President, they want to prevent Democrats from taking the very same actions they have used. They are now trying to change the rules of the Senate in the middle of the game to try to take away the rights of the minority.

Senator Baker was correct in 1968 when he said the majority was not always right, and it is time Senate Republicans realize that their extreme power grab is not in the best interests of either this Congress or this Nation.

CONGRATULATIONS TO DEBBIE PETERSON

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Speaker, today I would like to congratulate Debbie Peterson from my district, a social worker at Pope High School. Last week, Habitat For Humanity named her the Southwest Regional Volunteer of the Year for Georgia, Florida, and Alabama. She is one of those special educators whose energy is contagious.

For her, Habitat For Humanity is more than building a house on the weekends. Sponsoring the Student Club is her way of giving back to the school, to the community, and to those who want a hand up and not a hand out, as Habitat's slogan states.

Throughout her 31 years in public service, Debbie Peterson has always remembered that it is about the students and their accomplishments. What have they done? Increased club membership from 25 students to 525, over one-quarter of the entire student body. Raised over \$160,000 for Habitat projects to build seven homes; become one of the five largest chapters of Habitat at U.S. colleges and high schools.

At the end of this school year, she will retire from Pope High School. The lessons she has taught the thousands of students who helped provide a hand up to countless others will last a lifetime. Congratulations Debbie Peterson.

MAKING PROGRESS IN SOCIAL SECURITY REFORM

(Mr. KLINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLINE. Mr. Speaker, I rise today to highlight the progress, yes, the progress we are making towards meaningful reform of an ailing Social Security system.

Because of the efforts of my colleagues and President Bush to communicate the truth of the impending Social Security shortfall, Americans are talking, and their elected representatives are listening.

I know I am only one of many Members who have been hosting listening

sessions to hear the questions and concerns of my constituents on these important issues. On every one of these meetings, ideas are put forth. Many Members have translated these ideas into legislative proposals. Though the details differ, the message remains the same: we must do something to ensure Social Security will remain strong for our children and our grandchildren.

Unfortunately, not all Members are equally committed to solving the problem. Some opponents of reform have admitted that they would rather stand in the way of honest debate than be part of the solution. Mr. Speaker, this is a disservice to the constituents they represent and the millions of Americans who would benefit from reform.

I would encourage my colleagues on both sides of the aisle to be part of the solution, not part of the problem.

SUPPORT THE SAVE OUR WATERS FROM SEWAGE ACT

(Mrs. KELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KELLY. Mr. Speaker, I rise today to express my strong concerns about an EPA proposal that would allow local treatment plants to discharge inadequately treated sewage into our waterways. It is disappointing that the EPA would even consider a policy change that would worsen our Nation's water quality and threaten public health.

I am a cosponsor of the Save Our Waters From Sewage Act to prevent the EPA from finalizing this misguided initiative. The mere thought of routinely allowing human sewage that is only partly treated to be dumped into our local waterways is very disturbing.

The EPA's wastewater guidelines have generated understandable concerns among my constituents in Westchester, Dutchess, and Orange counties. They seriously undermine the protections in place for our water resources in the Hudson Valley. We have a responsibility to fully treat all wastewater.

We already face enough health and environmental risks in our local communities that are beyond our control. It is senseless to initiate a new policy that knowingly puts the public at greater health risk. When it comes to the safety of our water and our local citizens, it is far more important to do what is right than to do what is most convenient.

I want to thank my colleagues, the gentleman from Michigan (Mr. STUPAK) and the gentleman from Florida (Mr. SHAW), for leading the fight to protect public health and prevent the EPA from enacting this policy. I urge support for the Save Our Waters From Sewage Act.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 415

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 415.

The SPEAKER pro tempore (Mr. BOOZMAN). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CONDEMNING THE PRESENCE OF RACIALLY RESTRICTIVE COVENANTS IN HOUSING DOCUMENTS

(Mr. CLEAVER asked and was given permission to address the House for 1 minute.)

Mr. CLEAVER. Mr. Speaker, I rise today to urge my colleagues to cosponsor H.R. 259. I recently introduced this resolution to condemn the presence of racially restrictive covenants in housing documents.

Mr. Speaker, during the early 20th century, racially restrictive covenants were used in housing documents such as plats, deeds, and homeowner association bylaws to prevent racial, ethnic, and religious minorities from renting or buying property. While they are now illegal and technically unenforceable, most were never removed from housing documents. In my district alone, one survey identified more than 1,200 documents that still contain discriminatory language.

□ 1100

In many jurisdictions, the process of removing racially restrictive covenants is administratively burdensome, time consuming and costly. This resolution urges States to adopt legislation similar to California and commends the Missouri State Senate for passing a bill that streamlines the process for removing these relics of the Jim Crow era.

Mr. Speaker, I urge my colleagues to cosponsor H.R. 259 and join me in condemning racially restrictive covenants.

PROVIDING FOR CONSIDERATION OF H.R. 2361, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 287 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 287

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes. The first reading of the bill shall be dispensed with. All points of

order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with the colon on page 46, line 3, through "account" on line 14; section 109; page 67, line 17 through the semicolon on page 67, line 22; beginning with "That" on page 68, line 23, through "and" on page 69, line 3; beginning with "That" on page 69, line 19, through the comma on line 22; page 73, line 14 through line 22; section 413; beginning with "notwithstanding" on page 121, line 11, through the comma on line 12; beginning with "notwithstanding" on page 121, line 22, through "laws" on line 23; beginning with "Notwithstanding" on page 124, line 6, through line 7; and page 124, line 15 through 25. Where points of order are waived against part of a paragraph or section, points of order against a provision in another part of such paragraph or section may be made only against such provision and not against the entire paragraph or section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

This resolution provides for an open rule on H.R. 2361, the Interior Appropriations Act for fiscal year 2006, and provides for 1 hour of general debate equally divided and controlled by the chairman and ranking member of the Committee on Appropriations.

For the purpose of amendments, this rule provides for priority recognition to Members who preprinted their amendments in the CONGRESSIONAL RECORD, and the rule also allows for certain points of order to be raised in the course of consideration of this bill.

Mr. Speaker, this bill deals with filibusters in the U.S. Senate. Actually, Mr. Speaker, it does not, but until you say that magic word the media does not send its attention to the fact that the House is actually continuing on with the input of good government in our processes, so this bill actually, for which I am pleased to stand before the House and support the rule on the underlying legislation, is the Interior Appropriations Act.

I appreciate the hard work and the hard choices that the subcommittee chairman, the gentleman from North Carolina (Mr. TAYLOR), the gentleman from California (Chairman LEWIS), the gentleman from Washington (Mr. DICKS), and many others have put into making and putting this essential funding bill together, which does live within the budget discipline, and in fact reflects the priorities of this Congress.

At the same time, it reflects important committee priorities within the budget itself. We realize that this Congress, this Nation, does not have the money to do everything. But what we decide to do we should do well.

By prioritizing the needs, this provides, for example, an increase in six of the eight EPA programs for the environment. It provides for a \$118 million increase for Indian health services, a \$25 million increase over last year's funding level for restoration of the Everglades.

These are simply examples. A few others. Provides for National Heritage Area grants and historic preservation, something that to an old history teacher I appreciate. This bill provides important resources to help manage our Nation's public forest resources and our national parks.

It includes, for example, a \$70 million increase for the national parks base funding, but at the same time \$440 million to help reduce the backlog of national park maintenance. That is how these bills and these monies should be prioritized, to help preserve and enhance these unique national treasures.

It also provides for a record amount of funding to the national fire plan, and gives the Department flexibility in these accounts to help prevent and fight the annual onslaught of raging fires on public lands in the West, which have plagued many areas, especially California in recent years.

I am also pleased in particular that the gentleman from North Carolina (Chairman TAYLOR) has been diligent in funding the vital Payment in Lieu of Tax Program, or PILT, which so many western and rural counties depend upon for these vital public services.

Since this is an open rule, any Member will be allowed to offer germane amendments. This is a good rule. I think it supports a good bill. I strongly urge their adoption.

With that, Mr. Speaker, I urge adoption of the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I might consume. I thank the gentleman from Utah (Mr. BISHOP) for the time.

Mr. Speaker, I rise today in opposition to this rule, not because of what it allows but rather because of what it does not allow. As my colleague from the majority noted, this rule permits Members to offer amendments to the Interior and Environment Appropriations bill under the House's 5-minute

rule if they do not need waivers of the House rules.

As someone who will be offering an amendment to that bill later today, I appreciate that the majority structured the rule in such a manner. However, I am greatly concerned that the rule blocks the ranking Democrat of the Appropriations Committee, my friend the gentleman from Wisconsin (Mr. OBEY), from offering a critical amendment which would have added \$500 million to the bill to fully restore EPA's State and Tribal Grant Program, and Clean Water State Revolving Fund to their fiscal 2004 levels.

These two programs allow communities around the country to repair and modernize their water systems, and the underlying legislation greatly underfunds each account.

For the fiscally conservative in the House, the amendment of the gentleman from Wisconsin (Mr. OBEY) was revenue neutral, paying for itself by capping the tax cut for millionaires at just over \$138,000. The amendment of the gentleman from Wisconsin (Mr. OBEY) could have benefited literally millions of Americans by making their drinking water cleaner. But the Rules Committee, on a straight party line vote, prohibited the House from considering the gentleman's amendment.

Mr. Speaker, we live in trying times with enormous fiscal constraints, many of which have been brought upon ourselves. As the chairman and ranking Democrat of the Interior and Environmental Appropriations Subcommittee will probably note today, they did the best that they could with what they were given.

Indeed they did. Mr. Speaker, I commend the gentleman from North Carolina (Chairman TAYLOR) and the gentleman from Washington (Mr. DICKS) for their hard and perhaps most importantly bipartisan work on this legislation. I do believe that they did the best with what the majority gave them.

The underlying legislation includes funding which is essential to Everglades restoration, in my district and throughout South Florida. The bill maintains funding for the National Endowment of the Arts at its current level, and it increases funding for the National Endowment for the Humanities by a little less than \$500,000.

The bill also increases funding for operations at our national parks, as well as a \$67 million much-needed increase in funding for the Bureau of Indian Affairs.

Despite these increases the underlying legislation makes major cuts in funding to some of our most important environmental and health programs. \$240 million has been cut from the Clean Water State Revolving Fund. \$110 million from the State and Tribal Assistance Grant Account.

Conservation funding is about \$750 million below, or less than half of what was promised when Congress passed the Conservation and Restoration Act in 2000. Overall, EPA's budget has been cut by \$300 million.

This is only the second of 13 appropriations measures which this body will consider over the next few months. It is also the second appropriations bill in which we can see the drastic and dramatic effects of the Bush tax cuts. Republicans are going to try and associate domestic funding cuts with the cost of the war in Iraq. It seems like a plausible reason, and certainly one that the public could believe. But the truth is that domestic spending cuts are not occurring to pay for the war, they are happening to pay for the President's tax cuts.

The Republican budget that Congress approved 2 weeks ago only set aside \$50 billion for Iraq and Afghanistan combined. The remaining costs, probably another \$50 billion or more, if this year is any indication, will be funded by Congress through so-called emergency supplemental appropriations. These emergency costs will be added to the national debt, because we irresponsibly did not budget for it though we knew they were obvious. What has ensued is not the fault of the Appropriations Committee, Mr. Speaker, it is the fault of those who supported the budget resolution.

Later today, some Members will seek to improve the funding shortfalls, which the chairman and ranking Democrat sought to avoid.

For example, the gentleman from Arizona (Mr. GRIJALVA) will offer an amendment that restores the President's 33 percent cut for environmental justice programs to the fiscal year 2005 level.

The gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) will also offer an amendment that will increase funding for the cleanup of brownfields sites by \$2 million.

Additionally, I will offer an amendment that will require EPA to identify and take the necessary steps to protect minority and low income communities from bearing a disproportionate burden of poor environmental policy which adversely affects their health and well being.

All communities currently do not share in the burden of health and environmental risks, and my amendment expresses Congress' support for EPA doing what is necessary to protect these communities.

Mr. Speaker, individuals in our country on their own are not going to force power companies to reduce mercury emissions from smokestacks. Individuals on their own are not going to conduct major environmental restoration, and they certainly do not have the capacity to clean up our drinking water. But collectively, collectively, Mr. Speaker, we can all make this happen.

When utilizing the Clean Air Act, EPA can force power plants to come into compliance with new standard reviews. When enforcing the Clean Drinking Water Act, EPA can require cities and counties to provide their residents with safe drinking water.

□ 1115

With innovation that can only occur in a consortium of stakeholders, the Department of the Interior can make major environmental restoration projects a reality.

Enforcement is not free and neither is environmental restoration. Everyone in America shares in the responsibility of contributing his or her own fair share. Is there any Member in this body who is unwilling to pay just a little more to ensure that everyone in America has clean air to breathe? If given the chance, who would not be willing to pool his or her resources with others in his or her neighborhood to collectively ensure that everyone, everyone, has safe drinking water, or that no child will be forced to grow up playing in backyards polluted by dangerous levels of mercury and other toxins.

I do not blame or fault the appropriators for the funding cuts in the underlying legislation; but I do fault the majority in this body for creating a situation in which failure to adequately fund America's needs has become imminent. The American people will feel the same way when they wake up tomorrow and realize that their children and grandchildren will be paying for our fiscal mismanagement for generations to come.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, once again with this particular rule being open, it allows any Member who wishes to, to bring an amendment to the floor. It is the wonderful prerogative of the Members to do that. It is also very nice to note that the Committee on Appropriations which is tasked with trying to prioritize needs and fund those that are truly significant in that prioritization, and in this particular situation, the gentleman from North Carolina (Chairman TAYLOR) and the gentleman from Washington (Mr. DICKS) in a very collegial way have done just that, and have presented a good and balanced bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN) with whom I serve on the Committee on Rules.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in opposition to the rule and in strong opposition to what I consider a very bad bill. This Department of the Interior appropriations bill as written is a direct assault against our Nation's environment, and it should be defeated.

I am particularly outraged that the bill completely zeros out the stateside grant program of the Land and Water Conservation Fund, a program that has been an enormous help to our local

communities and the families who live in them.

The stateside Land and Water Conservation Fund has helped to preserve open space, slow urban sprawl, and give our children safe places to play. It is a true partnership with Federal grants requiring a full match from States and local communities. It is a program that has worked, and it has worked well. But this Republican bill completely eliminates the program. It zeros it out, walks away from our local communities.

The Land and Water Conservation Fund, LWCF, is based upon a simple concept: it takes revenues from offshore oil and gas drilling and invests them in our Nation's public land, letting States take the lead. For 40 years this program has a proven track record and benefited from strong bipartisan support.

When Congress decided to open the outercontinental shelf to oil drilling, we pledged to use some of its revenues for the public good. With the goal of meeting the Nation's growing need for recreation sites, Congress established the LWCF trust fund and agreed to reinvest an annual portion of OCS revenue into Federal land acquisition and State-assistance development programs.

Now even though LWCF takes in \$900 million annually from oil and gas receipts, in recent years just a fraction of this funding has been used for its rightful purpose. And today, the Republican leadership has taken their pillaging a step further by completely eliminating the stateside program and using the money for something else.

This bill breaks our promise to the American people by not spending this funding the way we are supposed to. In all, the stateside program has helped communities by funding 40,000 projects nationally, success stories that can be found in every State and in 98 percent of U.S. counties.

I urge my colleagues to ask their Governors and their mayors and county commissioners if they want the stateside program to be eliminated. If the answer is no, vote against this bill.

This cut is particularly harmful to our Nation's underserved areas. In fact, in many low-income urban communities, the stateside grant program is responsible for virtually all parks.

This is about priorities, Mr. Speaker. This bill demonstrates that for the Republican leadership, tax breaks for the wealthy few are more precious than open space. For this leadership, millionaires are more important than kids who need a safe place to play. And for this leadership, lobbyists win and families lose.

We will hear the rhetoric from the other side claiming they did the best they could with what they had. They will complain that the allocation given to the subcommittee just was not big enough. They should save their crocodile tears because those same Members voted for the budget that created those

allocations. They created this mess, and now the families of this country are paying the price. I urge my colleagues to vote against this rule and reject this bad bill.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the comments from the gentleman from Massachusetts (Mr. MCGOVERN), and I commend the gentleman for the one statement he asked us all to do which is to go to our State and local leaders and find out what their priorities happen to be.

I would like to do something unique so far in today's debate and talk about something that is actually in the bill, and something about which we will be debating later, and preface it with the comment of why, when we try to prioritize, should we spend new taxpayer money for new recreation areas and programs when some of the existing programs, long-time recognized, long time in the bill, are not totally and fully funded.

If I could, Mr. Speaker, I come from a western State that has a great deal of Federal land. In fact, 67 percent of my State is owned by the Federal Government. If we add military lands on top of that, it is almost 80 percent owned by the Federal Government. And, unfortunately, my State is not the worst situation. There are States that have more of their land owned by the Federal Government.

Oftentimes I have Members come to the floor and say these lands belong to all of us, but the cost of maintaining those lands is not borne by all of us; it is borne by the citizens who happen to reside within those particular States.

Now I am an old teacher, and as I look at the situation of education, I find a unique phenomenon that the area of this country in which education funding is growing the slowest, the area of this country where the classrooms are the largest, the area of this country where the student population is increasing the fastest, and the area of this country where State and local commitment in tax base is being paid by their citizens all happen to be found in the 13 States of the West. And the common denominator for all is the amount of public lands that happen to be in these particular States.

Those Members east of the Rocky Mountains sometimes do not comprehend the concept because there is very little of your land owned by the Federal Government, and you can maximize the amount of input, but you cannot do it in the West.

One of my counties has an area known as the Black Box, something that no one in Utah would ever try to raft down. One of our good constituent friends from another State decided to come and raft in the area of the Black Box; and, unfortunately, he lost his life doing it.

The problem is my County of Emery had to expend its resources and have their rescue team risk their lives to re-

trieve the body. All of the money that was budgeted for that year's critical rescue missions was expended on that one individual entering from the east using all of these public lands. All of the cost of that was borne by the citizens of that particular county, which means once again these lands belong to all of us, but the expense attached to these lands do not belong to all of us.

There is a program that we have long had called "payment in lieu of taxes," which recognizes the burden placed upon the West and the burden that should be funded. From the mid-1970s until the early 1990s, virtually no new money was placed in this program. It was flat funding for almost that whole period of time. This Congress put \$1.4 million of new money into the burgeoning problem of trying to pay for the Federal lands in the West. Under the direction of the gentleman from North Carolina (Chairman TAYLOR) and others on the subcommittee, that has increased significantly, almost doubling. They have recognized the need, but they have never fully funded the cost imposed on western States through payment in lieu of tax funding.

This last year, this program, traditionally run through the Bureau of Land Management, was taken over by the Department of the Interior with the idea of prioritizing it. They did not. Instead of prioritizing this program, they recommended a cut in this program and increased funding to the administrative overhead of the Department of the Interior.

I commend the gentleman from North Carolina (Chairman TAYLOR) for recognizing the unfairness of this and by increasing the payment in lieu of taxes to last year's level plus \$3 million, but it is still not close to full funding.

I am confident and hopeful that we will discuss that particular issue because it is a well-established program. It is not new, and we should be funding those well-established programs fully before we launch into new endeavors.

I commend the gentleman from North Carolina (Chairman TAYLOR) for zeroing out the land acquisition budget except for necessary administration costs because it comes up with the same policy: we do not start buying new land until we fully fund those lands that we already own.

We have an opportunity of expanding this in conference. This is one of the issues in this free-flowing open rule that we will be discussing later on. This is an issue where I commend the chairman for doing what he has done in this bill and urge him to continue on, because the citizens of the West, the kids in the West, the education system of the West have been harmed too long by policies that all of us in Congress for over 30 years have been implementing. It is an unfairness that must be dealt with.

I commend the gentleman from North Carolina (Chairman TAYLOR) and

the committee for moving the first step forward. But I hope that we can look at other amendments as this debate goes forward that would look at funding the programs we already have that have been there for many years that desperately need to be fully funded before we launch into others, and that is specifically what an appropriations process should do. It should prioritize our needs. Once again, we can go back to the concept that we cannot fund everything, but what we fund, we should fund well.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am a bit confuzzled by the continuing argument of my colleague and friend on the Committee on Rules that his State is impacted by virtue of education formulas. I do not disagree with what the gentleman says, but I find it interesting that the State of Utah, while the gentleman from Utah (Mr. BISHOP) is arguing that they are not getting enough money for education, the State of Utah legislature passed measures saying they do not want any Federal money for education. They need to make up their mind so we know what all they are doing out there.

Mr. Speaker, I yield 7 minutes to the gentleman from Wisconsin (Mr. OBEY), ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I will be voting against the previous question on the rule, and after the bill is considered, unless it is substantially changed, I will be intending to vote against the bill itself for a variety of reasons.

My main reason is this bill represents gross negligence of our responsibility to clean up the Nation's air and water pollution. This bill provides huge cuts, 40 percent cuts over a 2-year period in the clean water revolving fund. If there is any Member of this Chamber who has a district that does not have a community that needs more loans to fix their sewer and water problems, would you please raise your hand. I would like to see one Member who thinks that they have enough money.

I note no Member of the House present has raised his hand.

□ 1130

Mr. Speaker, I would say there is a great deal of hypocrisy surrounding the budget process. Every time that those of us on this side of the aisle point to the shortcomings in the budget that the Republican majority has just passed, we hear, "Well, we can't do anything about these shortages in the appropriation bills because, after all, we have limited resources."

The gentleman who just spoke, the gentleman from Utah, said the appropriations process, quote, "should prioritize our needs." I fully agree.

That is what I wanted to be able to try to do by offering an amendment which this rule would preclude me from offering. Because what I wanted to do is to change the judgment, change the priority judgment that the majority party made when they decided it was more important to give a \$140,000 tax cut to someone who makes a million bucks this year, they decided that was more important, that was a higher priority, than cleaning up our air or cleaning up our water. I do not think that represents the priority choice that the American people would make but it is the priority choice that the majority party has made.

The only way that we can change that priority judgment is by offering the amendment that I wanted to offer, which would have scaled back the size of those tax cuts for anybody making a million dollars a year or more. It would have scaled back those average tax cuts from \$140,000 to \$138,000. Imagine those poor souls having to get by with a tax cut of only \$138,000. I remind you, those are people who make more than a million dollars.

I do not begrudge, I do not denigrate in any way people who have managed to strike it rich and who are managing to make a million dollars a year. I hope everybody in this country at some point in their lives can do that. But I do believe that people who are the most blessed in our society ought to pay their fair share and the budget resolution which was imposed on this committee by this House does not allow us to reach that kind of fair distribution of tax burden.

So if we object to that what I regard to be not just ill-advised but immoral allocation of resources, the only device that we have to try to change that is to try to make our point on each of these appropriation bills trying to get the majority party to understand that just as they reconsidered their unilateral actions on Ethics Committee changes a couple of weeks ago, we would also like them to reconsider their poor judgment on the budget resolution.

Because the Rules Committee would not allow that amendment, I am going to vote against the previous question, and I am going to vote against the bill because the bill is grossly negligent in dealing with the air and water pollution problems facing this country. I am also not at all thrilled by the fact that for the first time in all the years I have been in Congress there will not be a single dollar provided for land acquisition programs. The gentleman may not want it in his State, but there are key tracts of land that we want the government to acquire in my State, there are key tracts of land we want the government to acquire, for instance, at George Washington's birthplace before real estate developers destroy that beauty for all time.

I am an old real estate broker, so I have nothing against real estate developers but I do not think they ought to be able to get their gloms on the most

pristine land in this country and turn it into a shopping mall when we have our population increase by one-third since I came to this body and when we have an increased need for resources that the average family can enjoy.

But most of all the biggest problem with this bill is that it walks away from our obligation to help State and local governments clean up some of the dirtiest rivers and dirtiest lakes in the country. It walks away from our responsibility to prevent communities like Milwaukee from dumping their surplus sewage into Lake Michigan every time there is a storm. That is an outrageous neglect of our stewardship responsibilities. I think this bill makes it even easier to ignore those responsibilities, and I think that is a disgraceful act.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

I will be asking Members to oppose the previous question. If the previous question is defeated, I will amend the rule so we can consider the amendment of the gentleman from Wisconsin (Mr. OBEY) that was rejected in the Rules Committee last night on a straight party-line vote.

Mr. Speaker, the Obey amendment would add \$500 million to the bill to restore funding for the EPA Clean Water State Revolving Fund Program to its fiscal year 2004 levels. This program allows communities around the country to repair and modernize their water systems. I find it incomprehensible that we do not understand the dynamics of that or that most if not all of us in this body do not have communities that would benefit from modernizing our water systems. The Obey amendment offsets these expenditures by capping at just over \$138,000 the tax cut for people making over \$1 million this year. The Obey amendment pays for itself and adds nothing to the Federal debt while maintaining funding levels in every other program in the bill.

This amendment will correct one of the most serious shortfalls in this bill. It is absolutely critical that this funding be restored. We can fix this today if we allow the Obey amendment to be considered on the floor. But the only way that will happen is if we defeat the previous question.

I want to assure my colleagues that a "no" vote will not prevent us from considering the Interior Appropriations bill, but a "no" vote will allow Members to vote on the Obey amendment. However, a "yes" vote will block consideration of the Obey amendment.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment immediately prior to the vote.

The SPEAKER pro tempore (Mr. BOOZMAN). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. I urge my colleagues in the House to vote "no" on the previous question.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

I appreciate the opportunity coming here and discussing this particular open rule that allows for us to discuss the prioritization which is the key element of what we do in every appropriations issue. The gentleman from Wisconsin is free to come here on the floor and talk about whether he believes the prioritization of this committee is accurate or not, whether he believes the Democrat approach would be a tax increase or not. But the same discussion also takes place in another area and it takes place in the committee process before it ever comes to this bill. I am here to still contend that the committee, both Republican and Democrat, did a good job in coming up with a prioritization process.

When the gentleman from Wisconsin talks about the desire for having new land, I do not dispute that nor do I oppose it necessarily. What we are saying is it is part of the prioritization. I would support acquisition of new land once we finally fully fund and take care of the lands we have. This committee has looked into that. This committee put significant new money not just into national parks but to maintain the backlog that we have of maintenance in our national parks. That is prioritization.

This committee recognized by putting PILT up to at least the level it was last year that there is a prioritization that takes place there at the same time. I was saying with PILT, and I will say it again, that what we have to do is fully fund it because it has been looked at for too long, especially when the minority party was in charge here and there were basically no increases in PILT funding, it has been looked at for too long as welfare for the West. It is not. It is rent that is due on that land and if you prioritize the budget, you prioritize those programs first before you expand anything else. I have to commend this committee for actually doing that.

I think there are some areas in which I think they could go ahead and move forward in those particular areas but once again prioritizing those commitments we have already made and fully funding those first. That is what this committee has tried to do. Whether you like or dislike their end product, they should be congratulated for coming that close.

In closing, Mr. Speaker, I have to reiterate the fairness of this open rule and urge its adoption because of that along with the underlying appropriation legislation. No bill is perfect. I am sure we can all come up with issues here and there in the appropriations bill or, for that matter, in any other bill we have where we would like to have it come out differently had we had our way, but in judging this bill as a whole and the process that has been through it to get to the point, I believe it is worthy for Members to support this particular piece of legislation.

And then I do want to talk to my good friend from Florida about what we really did with education in Utah. He is summarizing the New York Times, not reality. But other than that, we will forget that point right now. I will talk later to him about that.

Again, I urge Members to support this rule.

The text of the amendment previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION ON H. RES. 287—RULE FOR H.R. 2361 FY06 INTERIOR APPROPRIATIONS

At the end of the resolution, add the following new sections:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative OBEY of Wisconsin or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 2361, AS REPORTED OFFERED BY MR. OBEY OF WISCONSIN

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) The amount otherwise provided in this Act for “Environmental Protection Agency—State and Tribal Assistance Grants” (and the amount specified under such heading for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act) is hereby increased by \$500,000,000.

(b) In the case of taxpayers with adjusted gross income in excess of \$1,000,000 for calendar year 2006, the amount of tax reduction resulting from enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Pub. L. 107-16) and the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Pub. L. 108-27) shall be reduced by 1.562 percent.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on the ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 215, nays 194, not voting 24, as follows:

[Roll No. 190]

YEAS—215

Aderholt	Gerlach	Neugebauer
Akin	Gibbons	Northup
Alexander	Gilchrest	Norwood
Bachus	Gillmor	Nunes
Baker	Gohmert	Nussle
Barrett (SC)	Goode	Osborne
Bartlett (MD)	Goodlatte	Otter
Barton (TX)	Granger	Oxley
Bass	Graves	Paul
Beauprez	Green (WI)	Pearce
Biggert	Gutknecht	Pence
Bilirakis	Hall	Peterson (PA)
Bishop (UT)	Harris	Petri
Blackburn	Hart	Pickering
Blunt	Hastings (WA)	Pitts
Boehlert	Hayes	Platts
Boehner	Hayworth	Poe
Bonilla	Hefley	Pombo
Bonner	Hensarling	Porter
Bono	Herger	Price (GA)
Boozman	Hobson	Pryce (OH)
Bradley (NH)	Hoekstra	Putnam
Brady (TX)	Hostettler	Radanovich
Brown (SC)	Hulshof	Ramstad
Brown-Waite,	Hunter	Regula
Ginny	Hyde	Rehberg
Burton (IN)	Inglis (SC)	Reichert
Buyer	Issa	Renzi
Calvert	Istook	Reynolds
Camp	Jenkins	Rogers (AL)
Cannon	Jindal	Rogers (KY)
Capito	Johnson (CT)	Rogers (MI)
Carter	Johnson (IL)	Rohrabacher
Castle	Johnson, Sam	Ros-Lehtinen
Chabot	Jones (NC)	Royce
Chocola	Kelly	Ryun (KS)
Coble	Kennedy (MN)	Saxton
Cole (OK)	King (IA)	Schwarz (MI)
Conaway	King (NY)	Sensenbrenner
Cox	Kingston	Sessions
Crenshaw	Kirk	Shadegg
Cubin	Kline	Shaw
Culberson	Knollenberg	Sherwood
Cunningham	Kolbe	Shimkus
Davis (KY)	Kuhl (NY)	Shuster
Davis, Jo Ann	LaHood	Simmons
Davis, Tom	Latham	Smith (NJ)
Deal (GA)	LaTourette	Smith (TX)
DeLay	Leach	Sodrel
Dent	Lewis (CA)	Souder
Diaz-Balart, L.	Lewis (KY)	Stearns
Diaz-Balart, M.	Linder	Sweeney
Doolittle	LoBiondo	Taylor (NC)
Drake	Longren, Daniel	Terry
Dreier	E.	Thomas
Duncan	Mack	Thornberry
Ehlers	Manzullo	Tiberi
Emerson	Marchant	Turner
English (PA)	McCaul (TX)	Upton
Everett	McCotter	Walden (OR)
Feeney	McCrery	Walsh
Ferguson	McHenry	Wamp
Fitzpatrick (PA)	McHugh	Weller
Flake	McKeon	Westmoreland
Foley	McMorris	Whitfield
Forbes	Mica	Wicker
Fortenberry	Miller (FL)	Wilson (NM)
Fossella	Miller (MI)	Wilson (SC)
Fox	Miller, Gary	Wolf
Franks (AZ)	Moran (KS)	Young (AK)
Frelinghuysen	Murphy	Young (FL)
Gallely	Musgrave	
Garrett (NJ)	Myrick	

NAYS—194

Abercrombie	Brown (OH)	Cummings
Ackerman	Brown, Corrine	Davis (AL)
Allen	Butterfield	Davis (CA)
Andrews	Capps	Davis (FL)
Baca	Capuano	Davis (IL)
Baird	Cardin	Davis (TN)
Baldwin	Cardoza	DeFazio
Barrow	Carnahan	DeGette
Bean	Carson	Delahunt
Beceerra	Case	DeLauro
Berkley	Chandler	Dicks
Berman	Clay	Dingell
Berry	Cleaver	Doggett
Bishop (GA)	Clyburn	Doyle
Bishop (NY)	Conyers	Edwards
Blumenauer	Cooper	Emanuel
Boren	Costa	Engel
Boswell	Costello	Eshoo
Boucher	Cramer	Etheridge
Boyd	Crowley	Evans
Brady (PA)	Cuellar	Farr

Filner	McCarthy	Sabo
Ford	McCollum (MN)	Salazar
Frank (MA)	McDermott	Sánchez, Linda
Gonzalez	McGovern	T.
Gordon	McIntyre	Sanchez, Loretta
Green, Al	McKinney	Sanders
Green, Gene	McNulty	Schakowsky
Grijalva	Meehan	Schiff
Gutierrez	Meek (FL)	Schwartz (PA)
Hastings (FL)	Meeks (NY)	Scott (GA)
Herseth	Melancon	Scott (VA)
Higgins	Menendez	Serrano
Hinchey	Michaud	Sherman
Hinojosa	Miller (NC)	Skelton
Holden	Miller, George	Slaughter
Holt	Mollohan	Smith (WA)
Honda	Moore (KS)	Snyder
Hooley	Moore (WI)	Solis
Hoyer	Moran (VA)	Spratt
Inslee	Murtha	Stark
Israel	Nadler	Stupak
Jackson (IL)	Napolitano	Tanner
Jefferson	Neal (MA)	Tauscher
Johnson, E. B.	Oberstar	Taylor (MS)
Jones (OH)	Obey	Thompson (CA)
Kanjorski	Oliver	Thompson (MS)
Kaptur	Ortiz	Tierney
Kennedy (RI)	Owens	Towns
Kildee	Pallone	Udall (NM)
Kilpatrick (MI)	Pascarell	Van Hollen
Kind	Pastor	Velázquez
Kucinich	Payne	Visclosky
Langevin	Pelosi	Wasserman
Lantos	Petersen (MN)	Schultz
Larsen (WA)	Pomeroy	Waters
Lee	Price (NC)	Watson
Levin	Rahall	Watt
Lipinski	Rangel	Waxman
Lofgren, Zoe	Reyes	Weiner
Lowey	Ross	Wexler
Lynch	Rothman	Woolsey
Maloney	Roybal-Allard	Wu
Markey	Ruppersberger	Wynn
Marshall	Rush	
Matheson	Ryan (OH)	

NOT VOTING—24

Boustany	Larson (CT)	Simpson
Burgess	Lewis (GA)	Strickland
Cantor	Lucas	Sullivan
Fattah	Matsui	Tancredo
Gingrey	Millender-	Tiahrt
Harman	McDonald	Udall (CO)
Jackson-Lee	Ney	Weldon (FL)
(TX)	Ryan (WI)	Weldon (PA)
Keller	Shays	

□ 1209

Mr. SESSIONS, Mrs. MUSGRAVE, and Mr. BRADLEY of New Hampshire changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. NEY. Mr. Speaker, on May 19, 2005, I was unable to be present for rollcall vote No. 190, on ordering the Previous Question to provide for consideration of H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006 and for other purposes. Had I been present I would have voted “yea” on rollcall vote No. 190.

Mr. BOUSTANY. Mr. Speaker, on rollcall No. 190 I was inadvertently detained. Had I been present, I would have voted “yea.”

Mr. RYAN of Wisconsin. Mr. Speaker, on rollcall No. 190 I was traveling with the President in Wisconsin. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY COMMITTEE
ON RULES REGARDING AMEND-
MENTS TO H.R. 1851, NATIONAL
DEFENSE AUTHORIZATION ACT
FOR FISCAL YEAR 2006

(Mr. COLE of Oklahoma asked and was given permission to address the House for 1 minute.)

Mr. COLE of Oklahoma. Mr. Speaker, the Committee on Rules may meet the week of May 23rd to grant a rule which could limit the amendment process for floor consideration of H.R. 1815, the National Defense Authorization Act for Fiscal Year 2006. The Committee on Armed Services ordered the bill reported late last night and is expected to file its report in the House tomorrow, May 20.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy with a brief explanation of the amendment to the Committee on Rules in room H-312 of the Capitol by 10 a.m. on Tuesday, May 24.

Members should draft their amendments to the text of the bill as reported by the Committee on Armed Services which should be available tomorrow for their review on the Web site of both the Committee on Armed Services and the Committee on Rules.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the Rules of the House.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2361.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DEPARTMENT OF THE INTERIOR,
ENVIRONMENT, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2361.

The Chair designates the gentleman from Ohio (Mr. LATOURETTE) as chairman of the Committee of the Whole, and requests the gentlewoman from West Virginia (Mrs. CAPITO assume the chair temporarily).

□ 1213

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mrs. CAPITO (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, today we present for consideration by the House the Interior, Environment and Related Agencies fiscal year 2006 Appropriations bill as approved by the House Committee on Appropriations.

The bill provides a total of \$26.2 billion in funding for programs for the Department of the Interior, Environmental Protection Agency, Forest Service, Indian Health Service, the Smithsonian Institution, and several other environmental and cultural agencies and commissions.

□ 1215

The bill is \$823 million below the fiscal year 2005 level, and \$435 million above the administration budget request.

This is a balanced, bipartisan bill. It provides significant increases for our national parks, Indian schools, hospitals and clinics, wildfire programs; forest health is a high priority, and the Healthy Forest Initiative is fully funded.

The Payments in Lieu of Taxes program has a healthy increase of \$30 million above the budget request, and more than \$3 million above the 2005 level. Despite our very tight allocation, the Committee believes it is important to provide this increased funding for PILT.

There is an increase of \$64 million for operations of our National Park System, including a \$30 million increase specifically designed for individual units of the National Park Service. This targeted park base increase will benefit all of our parks.

The bill also restores critical funding for science programs, historic preservation programs, National Forest Systems programs, and Save America's Treasures grants. Finally, we have restored critical environmental education, research and rural water programs in the Environmental Protection Agency, and provided some limited increases for initiatives proposed in the budget request, including Superfund, homeland security, school bus retrofits, the Clean Diesel Program, Methane to Markets Initiative, and the Brownfields Program.

The budget request for EPA, while substantially below last year's level and proposed increases in that budget request, were funded by elimination of many critical mission essential programs.

We heard from nearly every Member of the House asking that we provide funding for EPA programs that were eliminated or reduced in the budget. The program restoration and increases for the various programs and agencies in this bill are offset by the decreases in land acquisition, construction, and State grant programs, and by lowering the amount provided for the increases proposed in the budget request.

This is a balanced bill. It is within the 302(b) allocation for budget authority and outlays. It provides the needed funding to keep the agencies in the bill operating at a reasonable level.

It does not provide a lot of funding for new initiatives. The choices made by the Committee were tough and fair and responsible. I urge all of my colleagues to support the bill.

At this point, I would like to ask that a table detailing the accounts in the bill be inserted in the RECORD.

DEPARTMENT OF THE INTERIOR ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL FY 2006 (H.R. 2361)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources.....	836,826	850,177	845,783	+8,957	-4,394
Wildland fire management:					
Preparedness.....	258,939	286,701	272,852	+13,913	-13,849
Fire suppression operations.....	218,445	234,167	234,167	+15,722	---
Additional appropriations (Title IV).....	98,611	---	---	-98,611	---
Other operations.....	255,300	235,696	254,545	-755	+18,849
Subtotal.....	831,295	756,564	761,564	-69,731	+5,000
Central hazardous materials fund.....	9,855	---	---	-9,855	---
Rescission of balances.....	-13,500	---	---	+13,500	---
Construction.....	11,340	6,476	11,476	+136	+5,000
Land acquisition.....	11,192	13,350	3,817	-7,375	-9,533
Oregon and California grant lands.....	107,497	110,070	110,070	+2,573	---
Range improvements (indefinite).....	10,000	10,000	10,000	---	---
Service charges, deposits, & forfeitures (indefinite).....	20,055	32,940	32,940	+12,885	---
Offsetting fee collections.....	-20,055	-32,940	-32,940	-12,885	---
Miscellaneous trust funds (indefinite).....	12,405	12,405	12,405	---	---
Total, Bureau of Land Management.....	1,816,910	1,759,042	1,755,115	-61,795	-3,927
United States Fish and Wildlife Service					
Resource management.....	962,940	985,563	1,005,225	+42,285	+19,662
Construction.....	52,658	19,676	41,206	-11,452	+21,530
Emergency appropriations (P.L. 108-324).....	40,552	---	---	-40,552	---
Land acquisition.....	37,005	40,992	14,937	-22,068	-26,055
Landowner incentive program.....	21,694	40,000	23,700	+2,006	-16,300
Private stewardship grants.....	6,903	10,000	7,386	+483	-2,614
Cooperative endangered species conservation fund.....	80,462	80,000	84,400	+3,938	+4,400
National wildlife refuge fund.....	14,214	14,414	14,414	+200	---
North American wetlands conservation fund.....	37,472	49,949	40,000	+2,528	-9,949
Neotropical migratory birds conservation fund.....	3,944	---	4,000	+56	+4,000
Multinational species conservation fund.....	5,719	8,300	5,900	+181	-2,400
State wildlife grants.....	69,028	74,000	65,000	-4,028	-9,000
Total, United States Fish and Wildlife Service..	1,332,591	1,322,894	1,306,168	-26,423	-16,726
National Park Service					
Operation of the national park system.....	1,683,564	1,734,053	1,754,199	+70,635	+20,146
United States Park Police.....	80,076	80,411	82,411	+2,335	+2,000
National recreation and preservation.....	60,973	36,777	48,997	-11,976	+12,220
Historic preservation fund.....	71,739	66,205	72,705	+966	+6,500
Construction.....	302,180	307,362	291,230	-10,950	-16,132
Emergency appropriations (P.L. 108-324).....	50,802	---	---	-50,802	---
Land and water conservation fund (rescission of contract authority).....	-30,000	-30,000	-30,000	---	---
Land acquisition and state assistance.....	146,349	54,467	9,421	-136,928	-45,046
Total, National Park Service (net).....	2,365,683	2,249,275	2,228,963	-136,720	-20,312
United States Geological Survey					
Surveys, investigations, and research.....	935,464	933,515	974,586	+39,122	+41,071
Emergency appropriations (P.L. 108-324).....	1,000	---	---	-1,000	---
Minerals Management Service					
Royalty and offshore minerals management.....	270,550	283,146	275,406	+4,856	-7,740
Use of receipts.....	-103,730	-122,730	-122,730	-19,000	---
Oil spill research.....	7,006	7,006	7,006	---	---
Total, Minerals Management Service.....	173,826	167,422	159,682	-14,144	-7,740

DEPARTMENT OF THE INTERIOR ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL FY 2006 (H.R. 2361)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology.....	108,269	110,435	110,435	+2,166	---
Receipts from performance bond forfeitures (indefinite).....	99	100	100	+1	---
Subtotal.....	108,368	110,535	110,535	+2,167	---
Abandoned mine reclamation fund (definite, trust fund)	188,205	188,014	188,014	-191	---
Legislative proposal.....	---	58,000	---	---	-58,000
Subtotal.....	188,205	246,014	188,014	-191	-58,000
Total, Office of Surface Mining Reclamation and Enforcement.....	296,573	356,549	298,549	+1,976	-58,000
Bureau of Indian Affairs					
Operation of Indian programs.....	1,926,091	1,924,230	1,992,737	+66,646	+68,507
Construction.....	319,129	232,137	284,137	-34,992	+52,000
Indian land and water claim settlements and miscellaneous payments to Indians.....	44,150	24,754	34,754	-9,396	+10,000
Indian guaranteed loan program account.....	6,332	6,348	6,348	+16	---
Total, Bureau of Indian Affairs.....	2,295,702	2,187,469	2,317,976	+22,274	+130,507
Departmental Offices					
Insular Affairs:					
Assistance to Territories.....	47,861	46,543	48,843	+982	+2,300
Northern Marianas.....	27,720	27,720	27,720	---	---
Subtotal.....	75,581	74,263	76,563	+982	+2,300
Compact of Free Association.....	3,450	2,862	3,362	-88	+500
Mandatory payments.....	2,000	2,000	2,000	---	---
Subtotal.....	5,450	4,862	5,362	-88	+500
Total, Insular Affairs.....	81,031	79,125	81,925	+894	+2,800
Departmental management.....	95,821	120,155	118,755	+22,934	-1,400
Subtotal, Departmental management.....	95,821	120,155	118,755	+22,934	-1,400
Payments in lieu of taxes.....	226,805	200,000	230,000	+3,195	+30,000
Central hazardous materials fund.....	---	9,855	9,855	+9,855	---
Office of the Solicitor.....	51,656	55,752	55,340	+3,684	-412
Office of Inspector General.....	37,275	40,999	39,566	+2,291	-1,433
Office of Special Trustee for American Indians					
Federal trust programs.....	193,540	269,397	191,593	-1,947	-77,804
Indian land consolidation.....	34,514	34,514	34,514	---	---
Total, Office of Special Trustee for American Indians.....	228,054	303,911	226,107	-1,947	-77,804
Natural resource damage assessment fund.....	5,737	6,106	6,106	+369	---
Total, Departmental Offices.....	726,379	815,903	767,654	+41,275	-48,249
Total, title I, Department of the Interior:					
New budget (obligational) authority (net)...	9,944,128	9,792,069	9,808,693	-135,435	+16,624
Appropriations.....	(9,881,774)	(9,822,069)	(9,838,693)	(-43,081)	(+16,624)
Emergency appropriations.....	(92,354)	---	---	(-92,354)	---
Rescission.....	(-30,000)	(-30,000)	(-30,000)	---	---

DEPARTMENT OF THE INTERIOR ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL FY 2006 (H.R. 2361)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE II - ENVIRONMENTAL PROTECTION AGENCY					
Science and technology.....	744,061	760,640	765,340	+21,279	+4,700
(By transfer from Hazardous substance superfund)...	(35,808)	(30,605)	(30,606)	(-5,202)	(+1)
Environmental programs and management.....	2,294,902	2,353,764	2,389,491	+94,589	+35,727
Pesticide fees (legislative proposal).....	---	(50,000)	---	---	(-50,000)
Office of Inspector General.....	37,696	36,955	37,955	+259	+1,000
(By transfer from Hazardous substance superfund)...	(12,896)	(13,536)	(13,536)	(+640)	---
Buildings and facilities.....	38,688	40,218	40,218	+1,530	---
Emergency appropriations (P.L. 108-324).....	3,000	---	---	-3,000	---
Hazardous substance superfund.....	1,247,477	1,279,333	1,258,333	+10,856	-21,000
Transfer to Office of Inspector General.....	(-12,896)	(-13,536)	(-13,536)	(-640)	---
Transfer to Science and Technology.....	(-35,808)	(-30,605)	(-30,606)	(+5,202)	(-1)
Leaking underground storage tank program.....	69,440	73,027	73,027	+3,587	---
Oil spill response.....	15,872	15,863	15,863	-9	---
Pesticide registration fund.....	19,245	12,000	15,000	-4,245	+3,000
Pesticide registration fees.....	-19,245	-12,000	-15,000	+4,245	-3,000
State and tribal assistance grants.....	2,438,758	1,779,500	2,074,500	-364,258	+295,000
Categorical grants.....	1,136,591	1,181,300	1,153,300	+16,709	-28,000
Rescissions (various EPA accounts).....	---	---	-100,000	-100,000	-100,000
Subtotal, State and tribal assistance grants....	3,575,349	2,960,800	3,127,800	-447,549	+167,000
=====					
Total, title II, Environmental Protection Agency:					
New budget (obligational) authority.....	8,026,485	7,520,600	7,708,027	-318,458	+187,427
Appropriations.....	(8,023,485)	(7,520,600)	(7,808,027)	(-215,458)	(+287,427)
Emergency appropriations.....	(3,000)	---	---	(-3,000)	---
Rescissions.....	---	---	(-100,000)	(-100,000)	(-100,000)
(Transfer out).....	(-48,704)	(-44,141)	(-44,142)	(+4,562)	(-1)
(By transfer).....	(48,704)	(44,141)	(44,142)	(-4,562)	(+1)
=====					
TITLE III - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest and rangeland research.....	276,384	285,400	285,000	+8,616	-400
State and private forestry.....	292,506	253,387	254,875	-37,631	+1,488
Emergency appropriations (P.L. 108-324).....	49,100	---	---	-49,100	---
National forest system.....	1,380,806	1,651,357	1,423,920	+43,114	-227,437
Emergency appropriations (P.L. 108-324).....	12,153	---	---	-12,153	---
Wildland fire management:					
Preparedness.....	676,470	676,014	691,014	+14,544	+15,000
Fire suppression operations.....	648,859	700,492	700,492	+51,633	---
Additional appropriations (Title IV).....	394,443	---	---	-394,443	---
Other operations.....	377,687	67,761	399,000	+21,313	+331,239
Emergency appropriations (P.L. 108-324).....	1,028	---	---	-1,028	---
Funded in Defense Bill (P.L. 108-287) (sec. 8098).....	(30,000)	---	---	(-30,000)	---
Subtotal.....	2,098,487	1,444,267	1,790,506	-307,981	+346,239
Capital improvement and maintenance.....	514,701	380,792	468,260	-46,441	+87,468
Emergency appropriations (P.L. 108-324).....	50,815	---	---	-50,815	---
Funded in Defense Bill (P.L. 108-287) (sec. 8098).....	(10,000)	---	---	(-10,000)	---
Land acquisition.....	61,007	40,000	15,000	-46,007	-25,000
Acquisition of lands for national forests, special acts.....	1,054	1,069	1,069	+15	---
Acquisition of lands to complete land exchanges (indefinite).....	231	234	234	+3	---
Range betterment fund (indefinite).....	3,021	2,963	2,963	-58	---
Gifts, donations and bequests for forest and rangeland research.....	64	64	64	---	---

DEPARTMENT OF THE INTERIOR ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL FY 2006 (H.R. 2361)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Management of national forest lands for subsistence uses.....	5,879	5,467	5,467	-412	---
Total, Forest Service.....	4,746,208	4,065,000	4,247,358	-498,850	+182,358
=====					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services:					
Non-contract services.....	2,098,424	2,207,277	2,207,277	+108,853	---
Contract care.....	480,318	507,021	507,021	+26,703	---
Catastrophic health emergency fund.....	17,750	18,000	18,000	+250	---
Total, Indian health services.....	2,596,492	2,732,298	2,732,298	+135,806	---
Indian health facilities.....	388,574	315,668	370,774	-17,800	+55,106
Total, Indian Health Service.....	2,985,066	3,047,966	3,103,072	+118,006	+55,106
=====					
National Institute of Health					
National Institute of Environmental Health Sciences...	79,842	80,289	80,289	+447	---
Agency for Toxic Substances and Disease Registry					
Toxic substances and environmental public health.....	76,041	76,024	76,024	-17	---
Total, Department of Health and Human Services..	3,140,949	3,204,279	3,259,385	+118,436	+55,106
=====					
OTHER RELATED AGENCIES					
Executive Office of the President					
Council on Environmental Quality and Office of Environmental Quality.....	3,258	2,717	2,717	-541	---
Chemical Safety and Hazard Investigation Board					
Salaries and expenses.....	9,027	9,200	9,200	+173	---
Emergency fund.....	397	---	---	-397	---
Total, Chemical Safety and Hazard.....	9,424	9,200	9,200	-224	---
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses.....	4,930	8,601	8,601	+3,671	---
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute.....	5,916	6,300	6,300	+384	---
=====					
Smithsonian Institution					
Salaries and expenses.....	489,035	524,135	524,381	+35,346	+246
Facilities capital.....	126,123	90,900	90,900	-35,223	---
Total, Smithsonian Institution.....	615,158	615,035	615,281	+123	+246
=====					
National Gallery of Art					
Salaries and expenses.....	91,708	97,100	97,100	+5,392	---
Repair, restoration and renovation of buildings.....	10,946	16,200	16,200	+5,254	---
Total, National Gallery of Art.....	102,654	113,300	113,300	+10,646	---
=====					

DEPARTMENT OF THE INTERIOR ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL FY 2006 (H.R. 2361)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
John F. Kennedy Center for the Performing Arts					
Operations and maintenance.....	16,914	17,800	17,800	+886	---
Construction.....	16,107	15,200	10,000	-6,107	-5,200
Total, John F. Kennedy Center for the Performing Arts.....	33,021	33,000	27,800	-5,221	-5,200
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Woodrow Wilson International Center for Scholars					
Salaries and expenses.....	8,863	9,201	9,085	+222	-116
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National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration 1/.....	121,264	121,264	121,264	---	---
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National Endowment for the Humanities					
Grants and administration.....	122,156	122,605	122,605	+449	---
Matching grants.....	15,898	15,449	15,449	-449	---
Total, National Endowment for the Humanities....	138,054	138,054	138,054	---	---
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Total, National Foundation on the Arts and the Humanities.....	259,318	259,318	259,318	---	---
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Commission of Fine Arts					
Salaries and expenses.....	1,768	1,893	1,893	+125	---
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National Capital Arts and Cultural Affairs					
Grants.....	6,902	7,000	7,000	+98	---
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Advisory Council on Historic Preservation					
Salaries and expenses.....	4,536	4,988	4,860	+324	-128
<hr/>					
National Capital Planning Commission					
Salaries and expenses.....	7,888	8,344	8,177	+289	-167
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United States Holocaust Memorial Museum					
Holocaust Memorial Museum.....	40,858	43,233	41,880	+1,022	-1,353
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Presidio Trust					
Presidio trust fund.....	19,722	20,000	20,000	+278	---
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White House Commission on the National Moment of Remembrance					
Operations.....	248	250	250	+2	---
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Total, title III, related agencies:					
New budget (obligational) authority (net)...	9,011,621	8,411,659	8,642,405	-369,216	+230,746
Appropriations.....	(8,898,525)	(8,411,659)	(8,642,405)	(-256,120)	(+230,746)
Emergency appropriations.....	(113,096)	---	---	(-113,096)	---
<hr/>					
Grand total:					
New budget (obligational) authority (net)...	26,982,234	25,724,328	26,159,125	-823,109	+434,797
Appropriations.....	(26,803,784)	(25,754,328)	(26,289,125)	(-514,659)	(+534,797)
Emergency appropriations.....	(208,450)	---	---	(-208,450)	---
Rescissions.....	(-30,000)	(-30,000)	(-130,000)	(-100,000)	(-100,000)
(Transfer out).....	(-48,704)	(-44,141)	(-44,142)	(+4,562)	(-1)
(By transfer).....	(48,704)	(44,141)	(44,142)	(-4,562)	(+1)
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DEPARTMENT OF THE INTERIOR ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL FY 2006 (H.R. 2361)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management.....	1,816,910	1,759,042	1,755,115	-61,795	-3,927
United States Fish and Wildlife Service.....	1,332,591	1,322,894	1,306,168	-26,423	-16,726
National Park Service.....	2,365,683	2,249,275	2,228,963	-136,720	-20,312
United States Geological Survey.....	936,464	933,515	974,586	+38,122	+41,071
Minerals Management Service.....	173,826	167,422	159,682	-14,144	-7,740
Office of Surface Mining Reclamation and Enforcement..	296,573	356,549	298,549	+1,976	-58,000
Bureau of Indian Affairs.....	2,295,702	2,187,469	2,317,976	+22,274	+130,507
Departmental Offices.....	726,379	815,903	767,654	+41,275	-48,249

Total, Title I - Department of the Interior.....	9,944,128	9,792,069	9,808,693	-135,435	+16,624
=====					
TITLE II - ENVIRONMENTAL PROTECTION AGENCY					
Environmental Protection Agency.....	8,026,485	7,520,600	7,708,027	-318,458	+187,427
TITLE III - RELATED AGENCIES					
Forest Service.....	4,746,208	4,065,000	4,247,358	-498,850	+182,358
Indian Health Service.....	2,985,066	3,047,966	3,103,072	+118,006	+55,106
National Institute of Environmental Health Sciences...	79,842	80,289	80,289	+447	---
Agency for Toxic Substances and Disease Registry.....	76,041	76,024	76,024	-17	---
Council on Environmental Quality and Office of Environmental Quality.....	3,258	2,717	2,717	-541	---
Chemical Safety and Hazard Investigation Board.....	9,424	9,200	9,200	-224	---
Office of Navajo and Hopi Indian Relocation.....	4,930	8,601	8,601	+3,671	---
Institute of American Indian and Alaska Native Culture and Arts Development.....	5,916	6,300	6,300	+384	---
Smithsonian Institution.....	615,158	615,035	615,281	+123	+246
National Gallery of Art.....	102,654	113,300	113,300	+10,646	---
John F. Kennedy Center for the Performing Arts.....	33,021	33,000	27,800	-5,221	-5,200
Woodrow Wilson International Center for Scholars.....	8,863	9,201	9,085	+222	-116
National Endowment for the Arts.....	121,264	121,264	121,264	---	---
National Endowment for the Humanities.....	138,054	138,054	138,054	---	---
Commission of Fine Arts.....	1,768	1,893	1,893	+125	---
National Capital Arts and Cultural Affairs.....	6,902	7,000	7,000	+98	---
Advisory Council on Historic Preservation.....	4,536	4,988	4,860	+324	-128
National Capital Planning Commission.....	7,888	8,344	8,177	+289	-167
United States Holocaust Memorial Museum.....	40,858	43,233	41,880	+1,022	-1,353
Presidio Trust.....	19,722	20,000	20,000	+278	---

White House Commission on the National Moment of Remembrance.....	248	250	250	+2	---

Total, Title III - Related Agencies.....	9,011,621	8,411,659	8,642,405	-369,216	+230,746
=====					
Grand total.....	26,982,234	25,724,328	26,159,125	-823,109	+434,797
=====					

DEPARTMENT OF THE INTERIOR ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL FY 2006 (H.R. 2361)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request

CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Forest Service limitation from Farm Bill programs.....	-20,000	---	---	+20,000	---
NPS land acquisition transfer.....	---	---	---	---	---
Emergencies in this bill.....	-208,450	---	---	+208,450	---
Total, adjustments.....	-228,450	---	---	+228,450	---
Total (including adjustments).....	26,753,784	25,724,328	26,159,125	-594,659	+434,797
Amounts in this bill.....	(26,982,234)	(25,724,328)	(26,159,125)	(-823,109)	(+434,797)
Scorekeeping adjustments.....	(-228,450)	---	---	(+228,450)	---
Prior year outlays (including supplementals).....	---	---	---	---	---
=====					
Total mandatory and discretionary.....	26,753,784	25,724,328	26,159,125	-594,659	+434,797
Mandatory.....	(52,125)	(52,125)	(52,125)	---	---
Mandatory (prior year).....	---	---	---	---	---
Mandatory (total).....	(52,125)	(52,125)	(52,125)	---	---
Discretionary.....	(26,701,659)	(25,672,203)	(26,107,000)	(-594,659)	(+434,797)
Discretionary (prior year).....	---	---	---	---	---
Discretionary Domestic (total).....	(26,701,659)	(25,672,203)	(26,107,000)	(-594,659)	(+434,797)
=====					
RECAP BY FUNCTION					
Mandatory.....	52,125	52,125	52,125	---	---
Prior year outlays.....	---	---	---	---	---
Total, Mandatory.....	52,125	52,125	52,125	---	---
General purpose discretionary.....	26,701,659	25,672,203	26,107,000	-594,659	+434,797
Prior year outlays.....	---	---	---	---	---
Total, General purpose discretionary.....	26,701,659	25,672,203	26,107,000	-594,659	+434,797
=====					
Grand total, Mandatory and Discretionary.....	26,753,784	25,724,328	26,159,125	-594,659	+434,797
=====					
DISCRETIONARY 302B ALLOCATION					
GENERAL PURPOSE.....	26,701,659	25,672,203	26,107,000	-594,659	+434,797
302B ALLOCATION.....	---	---	26,107,000	+26,107,000	+26,107,000
OVER/UNDER ALLOCATION.....	26,701,659	25,672,203	---	-26,701,659	-25,672,203

Madam Chairman, I would like to thank the staff of both the minority and majority staff, and Mr. DICKS, and all of those who have worked with the Committee in producing this. We have had outstanding participation, and I thank all of them for their participation.

Madam Chairman, I reserve the balance of my time.

Mr. DICKS. Madam Chairman, I yield myself 6 minutes.

First of all, I want to thank the gentleman from North Carolina (Chairman TAYLOR) for his commendable work for putting together this Interior, Environment and Related Agencies appropriations bill for next year.

This bill is basically good, considering the budget allocation that our subcommittee received. As always, the chairman and his staff have included me in the process of putting together the bill, and for that I am very appreciative. Such cooperation is a hallmark of the Interior Subcommittee, and it is the chairman who sets the tone.

While the bill we are considering today represents hard work all around, I must note that it falls short of properly funding many programs. The reason for this failure is the inadequate budget allocation we have. The shortfall compared to the 2005 Interior bill adds up to more than \$800 million.

As you know, this is the first year that the Interior Subcommittee has funded the EPA, and what a challenge it is proving to be with the President's budget proposing a cut of more than \$500 million from last year. These are very deep holes to fill.

Let me switch to a positive note by praising the decision by the administration and the chairman to fully fund uncontrollable costs such as pay COLAs and rent.

Now, this may sound like just a matter of fact, but it makes all of the difference in the world in our national parks on whether they can operate properly. Over the last few years the administration has been proposing unrealistically low funding levels to pay for these uncontrollable costs. This year the budget did include the funding to meet these costs, and I applaud the chairman for including them in the bill, and I hope that the administration will continue to propose full coverage of uncontrollable costs in future budget submittals.

I also want to express my gratitude to the gentleman from North Carolina (Chairman TAYLOR) for the continued effort to increase funding for the operation of our national parks. I think we have a great team to make sure that the national parks, certainly the most beloved of our Federal public lands, receive enough money to provide our constituents the visit they expect and deserve.

The \$30 million the gentleman from North Carolina (Chairman TAYLOR) has added to the \$22 million increase contained in the budget will mean a second consecutive year of very healthy

increases in the Park Service operations budget, and I want to pledge to continue to help my chairman to make sure that the Park Service Partnership Program stays on track towards better management.

The biggest concern that I have in this bill is the reduction in spending for clean water activities. First, I must commend the chairman for his decision 2 weeks ago to agree to add an extra \$100 million to the Clean Water State Revolving Fund from unobligated EPA funds from previous years. But even with this additional funding, the Clean Water Revolving Fund will be \$240 million lower than this year.

If you compare the proposed funding in 2006 to the level in 2004, there is a decrease of nearly \$500 million in just 2 years. I know that many of you are hearing from your State and local officials about the effect this cut will have on plans to construct and improve water treatment facilities.

The Federal Government should not be retreating in this fashion from such an important responsibility. For that reason I am going to support an amendment to increase funding for the Clean Water State Revolving Fund.

I must also register my disagreement with the decision to continue to retreat from the commitment made in 2000 to increase funding for the Conservation Trust Fund. If the Lands Legacy conservation agreement was being followed, this bill would have \$1.8 billion for the various conservation activities under our jurisdiction. Instead the bill contains only \$750 million. I wish this bill did not contain the President's proposal to eliminate funding for the Land and Water Conservation Fund Stateside grants program.

I also disagree with the decision to provide no money for land acquisition within the Land and Water Conservation Fund, but I do sympathize that those decisions were tough due to the situation our allocation has caused. Core programs, such as agency operations, must come before grant programs such as these.

Even though the awful fiscal situation we are faced with is the direct cause of these decisions, I do hope that we can better meet the obligations of the Lands Legacy agreement when we ultimately finish the 2006 Interior and Environment bill.

It is gratifying to note that we seem to have come to a consensus on funding on the NEA and the NEH, in that this bill provides level funding compared to this year. I again will be joining with what I predict will be a majority of my colleagues in support of an amendment to increase both of these endowments.

Last year the Interior Subcommittee made a wise decision to be better prepared for the cost of firefighting. We provided \$500 million for both fiscal year 2004 and 2005 in emergency funding to prevent the painful borrowing from other Interior and Forest Service programs that has occurred in past years when more fires than were ex-

pected depleted the annual firefighting budget.

Although neither the President's budget nor this bill contains such contingency funding for 2006, there is an increase of \$120 million over the non-emergency spending level in fiscal year 2005. I hope this is sufficient to meet the challenge of what could be a busy fire season with estimates of higher than average threats in several areas of the country, including Washington State and the Northwest.

I also agree with the decision to restore some of the cuts in the budget to the Indian school and construction account. Even with this added money, this bill contains a cut of \$75 million to those important programs, and it is important that we are freezing the funding level for the Indian trust accounting program. I believe we should not spend money at the expense of other Indian programs on a historical accounting exercise that cannot produce the desired results.

Again, I want to thank the gentleman from North Carolina (Chairman TAYLOR) and his great staff, led by Debbie Weatherly for their hard work on the 2006 Interior and Environment appropriations bill.

I also want to commend Mike Stephens on Mr. OBEY's staff and Pete Modaff of my staff for their part in helping to put together this bill. I hoped we could do better, but this is a difficult situation that we are in, and I appreciate the cooperation, the bipartisan spirit in which this bill was created.

Madam Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Madam Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Madam Chairman, the bill before us today is one that required many tough choices. It required fiscal discipline. It also required the committee to meet the environmental, land management, cultural, science, resource and recreation needs of the Nation in a responsible manner; tough choices were required and I believe the right and most reasonable choices were made.

The bill helps meet our fiscal responsibilities by cutting \$800 million in discretionary spending from the fiscal year 2005 level, but it also allows us enough money that our Nation's priorities can be carried out by the diverse departments and agencies funded in the bill.

There are many competing interests in this bill that had to be balanced and addressed in a tight allocation. We may hear some Members lament that greater funding was not provided for a particular program, but I believe that Members would be hard pressed to name another program that should be cut so the one they favor can be increased. One thing is certain, the gentleman from North Carolina (Chairman TAYLOR) made a special effort to include both parties in the drafting of

the bill and conducted a fair and impartial hearing process.

The bill places priorities in the areas where they need to be. Increases were provided for wildland firefighting, the operations of the National Parks and National Forest Systems, Superfund hazardous waste cleanup program, environmental science and technology, and Indian health and education.

The bill contains necessary initiatives in forest health, in backlog maintenance in the national parks, Everglades restoration, and the national fire plan. This is a bill that makes tough but right choices and puts priorities where they should be.

This bill is as good as it can be given the budget restrictions. It deserves our support and I urge its passage.

Mr. DICKS. Madam Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking Democratic member of the full Appropriations Committee, who has played a very constructive role, along with the gentleman from California (Chairman LEWIS), in trying to help us move this bill forward today.

Mr. OBEY. Madam Chairman, I thank the gentleman for yielding me this time.

Let me simply say that I think the chairman has produced a fair process. He has treated the minority fairly and I very much appreciate that, but I believe the bill fails this country in many fundamental ways, and that failure is a direct result of the Republican budget resolution which requires this committee to cut \$11.7 billion below the amount needed to maintain current services for domestic discretionary programs.

As the gentleman from Texas (Mr. DELAY), the majority leader, said 2 weeks ago, "This is the budget that the American people voted for when they returned a Republican House, a Republican Senate and a Republican White House last November." I think that is true. This is exactly what it means.

The Republicans in this House voted by a vote of 218 to 212 to adopt that budget resolution. Not one single Democrat voted for that budget resolution, because we recognized the damage that would be done by it. Now, we are told by Members of the majority side we have limited resources. We absolutely agree with that.

That is why this House should never have voted to eliminate all taxes on estates of over \$7 million. It should never have voted to give persons who make more than a million dollars \$140,000 tax cuts next year and do it all with borrowed money because the result of that vote has been a \$400 million cut in EPA programs to improve the quality of our air and our water.

□ 1230

The result has been a 40 percent cut in the clean water revolving fund. We have \$388 billion worth of needs at the community level to fix sewer and water systems; and yet this program is cut by 40 percent in this bill.

The damage done by this bill cannot be fully understood unless we take a look at it in a broader context. This is a great and growing country. When I came to this Congress, there were 203 million people in this country. Today, there are 282 million. That is a 34 percent increase. We are going to have another 26 million increase between now and 2010.

When I came, there were 108 million cars in America. Today, there are 231 million cars. That means more pollution. It means more congestion. It means more pressure on our national parks. It means more pressure on the part of real estate developers. It means more pressure on our sewer and water programs.

In the face of that new pressure, what are we getting out of this bill? We are getting a 34 percent reduction in the funding for the main bill that will help us to clean up our sewer and water problem. I think that is an incredibly myopic decision.

In the teeth of all of that pressure, we are crippling EPA.

We talk about how happy we are to see a slight increase in the national parks budget; but in fact, there are still 720 positions in the National Park Service that continue to remain unfunded. We have 200 of the 544 wildlife refuges that have no staff whatsoever.

In the teeth of all that expanded pressure, what do we get? Despite this bill, we still have a \$5 billion backlog in maintenance for the Park Service, a \$13 billion backlog for our national forests.

I would like to see, for instance, this bill enable us to buy precious land at Pope's Creek on the property where George Washington was born before a real estate developer can grab it and turn it into condos; but we are not going to be able to do that because this bill, for the first time in the 36 years I have been a Member of this House, zero-funds land acquisition programs at both the State and the Federal level. We ought not to do that.

For two generations, we have had a bipartisan consensus behind certain minimal actions in the environmental area, especially in the area of clean water. This bill unravels that consensus because it means we can talk a good game in terms of cleaning up our water and our air, but we are not going to put our dollars where our mouth is.

So I think, as the gentleman from Texas (Mr. DELAY) says, "This is the budget that the American people voted for when they returned a Republican House, a Republican Senate, and a Republican White House last November." If you are satisfied with the results of this bill today, vote for it. I intend to vote against it. I think it is a disaster for the environmental consensus that we have built up with such hard work for so long.

Mr. TAYLOR of North Carolina. Madam Chairman, I yield 3 minutes to the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Madam Chairman, I thank the chairman for yielding time. I very much appreciate his service on the bill that he has produced, and I support this bill, and I appreciate his efforts and the efforts of the gentleman from Washington (Mr. DICKS), the ranking member, and the staff on the committee.

However, there is a part of this bill that the country needs to be aware about. All across America we are confronted with skyrocketing energy prices, whether at the gasoline pump or our utilities at home or the manufacturing sector or the feedstock to produce fertilizer (which, therefore, affects agriculture).

What is the connection between that and this bill? This bill has language in it that perpetuates more than 30 years of misguided policy. It has provisions that continue a ban on drilling in most of the outercontinental shelf, offshore drilling that could be occurring in the United States of America. And 60 percent of America's oil reserves are in that outercontinental shelf. Forty percent of our natural gas reserves are in that outercontinental shelf. Yet, for more than 30 years this Congress, each year, has perpetuated a ban on drilling in most of those areas.

What is the consequence of that? It is the high prices. The consequence is the high prices we are experiencing. The result is that each year America is spending \$179 billion to buy foreign oil and bring it to the United States of America. Rounded off, it is \$180 billion, that we could be using to produce energy safely, in an environmentally friendly and clean fashion here in the United States. But because of language that this Congress has put into this bill for over 30 years, we are not doing that.

Right now, almost 60 percent of the oil and gas that we consume in the United States is imported. We need to fix that. We will have several amendments to address this that are offered on this bill.

We will probably hear from people saying, oh, my goodness, we cannot do that; we have got to protect the environment. But we can do it by protecting the environment.

The offshore drilling that does occur right now in the United States produces a fourth of the oil and gas that we have in the U.S. What is their environmental record? The amount of oil that is spilled is $\frac{1}{4,000}$ of 1 percent. That is all—because we have made so many advances in environmentally friendly methods to handle this drilling. That means we are using methods that are 99.999 percent safe and friendly to the environment.

We need to revisit those provisions that limit offshore drilling, and I hope we will do that today.

Mr. DICKS. Madam Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a good supporter of this bill.

Mr. BLUMENAUER. Madam Chairman, I appreciate the gentleman's

courtesy in permitting me to speak on behalf of this bill.

The congressional consideration of the Interior appropriations bill should be one of the highlights of this congressional session, as it touches on things that are near and dear to people's hearts: clean water, vast open spaces, environmental protection, even opportunities to invest in the arts.

Sadly, what should be a positive expression of our values, our hopes, and our opportunities is instead in this bill a pattern of broken promises to our communities and to ourselves. Unfortunately, the bill represents lost opportunities and is a symbol of the inability of this Congress and this administration to match our priorities with those of our constituents and, most importantly, with the future of this country.

I agree that the dramatic underfunding in terms of the budget allocation put the chairman and the ranking member and the staff in a hole to begin with, and my heart goes out to them; but there is no reason that we, as a Congress, cannot use the billions of dollars that are set aside in a trust fund for the Land and Water Conservation Fund that have not been tapped as these resources are set aside expressly for this purpose of land conservation.

In the year 2000, as the gentleman from Washington (Mr. DICKS), my friend, mentioned, he was integral to fashioning an important compromise that gave flexibility to the Committee on Appropriations. We in Congress made a commitment to the public and an agreement amongst ourselves to fund this responsibility. It was something that then-Governor Bush sounded as one of his pledges when he was running for the White House. The promises of candidate Bush, President Bush and of Congress to our constituents and to ourselves is broken again by this budget.

Now, there are specific proposals to try and make an inadequate bill better. I will support and speak out strongly in support of working to stop the diluting of our commitment to clean water with an amendment to stop the administration's efforts to weaken water quality protections, putting more sewage into our rivers and streams and drinking water.

As a former commissioner of public works, I was responsible for the administration of sewage and water resource programs. I am not insensitive to the needs of many communities to occasionally blend water not completely treated. I recognize the need to do that in extreme weather events, an important tool for communities; but it is not something that we should be doing routinely. We should instead be reducing our use of this tool wherever possible rather than increasing it.

The EPA rule weakening the current policy would actually penalize communities like mine and yours around the country that have worked to upgrade and improve their systems.

In periods of extreme wet weather, blending will still often be necessary. It is legal under the current law, and it is not going to be changed with the amendment that will be offered. The anti-sewage dumping amendment would not change these existing blending standards, but they will prevent the EPA from lowering them to authorize routine sewage dumping.

Now is not the time to move backwards. Water bodies around the country are impaired. We need to make sure that we are not making it harder to ultimately meet these water quality standards.

I urge joining me in supporting the amendment and working with the members of this committee to try to craft this bill in a way that meets the needs of America's communities.

Mr. TAYLOR of North Carolina. Madam Chairman, I yield myself such time as I may consume.

Before I recognize the next speaker, I want to point out that it is not, as I am hearing, that we are obliterating the clean water State revolving fund or the arts funds. We are funding the arts and humanities \$259 million, the same as the 2005 year. We are funding the State revolving fund \$850 million, the same as we did in 2005.

Unfortunately, with the costs and the deficit we have now, we cannot continue to put more and more in. We are trying to do the best we can by consistently funding our needs in this area.

Madam Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Madam Chairman, I thank the chairman for yielding this time to have an opportunity to address an issue that is so important to this country, and that issue is the energy that drives this economy.

We all know that everything that we purchase in this country has got an energy cost component in it; and so when we address the energy issues, we know that when we can provide more supply of energy, whether it comes from someplace else on the globe, whether it comes from the northern hemisphere, whether it comes from the United States, whether it is renewable energy or whether it is a consumable energy, that is at least in theory not renewed, all of those things add to the overall size of the energy pie.

It is our responsibility here in this Congress to be able to expand the size of that pie so we have more energy available to the consumers; and we know that due to the law of supply and demand, the more supply there is, of course the less relative demand there will be. The relative costs of energy will either be slowed in their increase or actually diminished in some cases, and we can see reductions in the price of energy.

It is critical to me, in the part of the State I come from. We are very vulnerable to energy. We use gas and diesel fuel for the production of agriculture, for example, and we also produce ethanol and biodiesel. So we are a renew-

able energy export center, as well as a consumer of energy.

I have watched this policy here in the United States, and we tend to take sides a little bit. That taking sides falls into a few categories: energy consumers who want all the energy they can get, as cheap as they can get it; and environmentalist interests that want to be able to preserve the pristine areas of America at whatever cost to the economy.

I would take the stand that natural gas in this country, for example, we have a huge domestic supply of natural gas in the North American Continent underneath nonnational park public lands. We have a tremendous supply of natural gas offshore in the Outer Continental Shelf, Gulf of Mexico, and a lot of that is, as we stand here, off limits to producers. That has driven up the cost of natural gas in my district and all across this country and put an additional price on virtually everything that we sell and purchase.

So, Madam Chairman, I appreciate the opportunity to address this House and the opportunity also to have some time yielded to me for this important subject matter.

Mr. DICKS. Madam Chairman, I yield 2½ minutes to the distinguished gentleman from West Virginia (Mr. RAHALL), the ranking member of the Committee on Resources.

□ 1245

(Mr. RAHALL asked and was given permission to revise and extend his remarks.)

Mr. RAHALL. Madam Chairman, I thank the distinguished ranking member of the subcommittee for yielding me this time.

Madam Chairman, we all recognize that the Committee on Appropriations must work within the constraints of a budget that is completely inadequate to meet the Nation's needs. I acknowledge that. But the fiscal year 2006 Interior and Environment appropriation bill also reflects the kinds of choices made in recent years by this administration and the majority in Congress, which made this clash of growing needs and shrinking budgets unavoidable.

The effect is that the Department of the Interior and our other departments and agencies are being put on a crazy fad diet that is harmful to the health of the Nation. I am troubled, for example, by the continued underfunding of maintenance needs to our national parks. The committee has seen fit to provide \$20 million over the President's request for operations, an increase I support, but our national parks should be safe places, where parents and children can roam and relax, where they can picnic and hike and raft. Instead, our parks are falling apart, and against a huge backlog of maintenance needs, this bill cuts funds for park construction projects, a critical component of our park maintenance efforts.

Forest Service programs that help to promote safety and job creation in

rural America are also underfunded in this bill. Economic action programs, which enable rural communities and businesses to become more economically self-sufficient through the use of forest resources were zeroed out.

The situation here goes well beyond trimming fat. We can talk all we want about the need for a lean government, but this is not belt tightening, as some would suggest. This is more like being shoved into Scarlet O'Hara's corset.

The President eliminated statewide funding for the Land and Water Conservation Fund in his budget. Those monies are indispensable to States across the Nation that rely on those matching monies for their parks and recreation budgets. But while the President may have conducted a tummy tuck, this bill calls for something close to an amputation. Even the Federal share is axed.

I am especially troubled by the flat lining of the appropriation from the Abandoned Mine Reclamation Fund. There continues to exist a large inventory of high priority human health and safety threatening sites in our Nation's coalfields. The unspent balance in the fund is approaching \$2 billion, yet this money from a fee assessed on the coal industry is not being adequately deployed to combat these threats to coal-field citizens and their communities.

Madam Chairman, this bill is not a case of an overweight agency being squeezed into a slimmer, trimmer budget. This is a case of a starving agency trying to survive on the crumbs of a fiscal mess. I regret that I cannot support this bill.

Mr. TAYLOR of North Carolina. Madam Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Madam Chairman, there are many important parts of this bill, but I want to speak briefly to the House about our love for the national parks. We have about a \$600 million backlog, and it is overwhelming to try to address this in an appropriation bill where money is so tight.

We have a bill called the National Parks Centennial Act that tries to address this. Senators MCCAIN, FEINSTEIN, and ALEXANDER are leading the fight in the Senate and the gentleman from Washington (Mr. BAIRD), myself, as well as key appropriators such as the gentleman from Virginia (Mr. WOLF), the gentleman from Ohio (Mr. REGULA), the gentleman from Illinois (Mr. LAHOOD), and others here in the House. But what is before us today is actually very important, because even in a time of tight budgets the Committee on Appropriations has seen fit to raise the President's request on national parks by \$70 million over last year's funding, and \$20 million above the President's approval.

At a time when we are fighting on so many different fronts to figure out how

to balance our budget and move towards a balanced budget, where every trade-off between immunizations and Medicaid and whether we support our troops and veterans benefits and all this, it is important to remember the legacy of America's national parks, America's gifts to the world, and I appreciate it very much in this overall important bill that they have increased the funding for the national parks.

Mr. UDALL of Colorado. Madam Chairman, I have come to the reluctant conclusion that this bill does not deserve approval, and so I will not vote for it.

This is not a criticism of Chairman TAYLOR, Congressman DICKS, and the other members of the Appropriations Committee who had the unenviable task of developing the bill. The budget authority allocated to the Interior and Environment Subcommittee fell far short of the amount needed to adequately fund the agencies and activities within their jurisdiction. That in turn was the result of the unrealistic and inadequate budget resolution that the Republican leadership pushed through the Congress earlier this year. But while the shortcomings of the bill are understandable, they are nonetheless so serious that I cannot vote for it.

Among the worst are its severe reductions in funding for the Environmental Protection Agency. It cuts EPA's Clean Water State Revolving Fund by \$242 million below the 2005 funding level. This will mean that many communities in Colorado and elsewhere will be adversely affected as projects that have already been approved by State water authorities for future funding probably will be rejected, scaled back, or substantially delayed.

The wrong-headedness of this is clear when we recall that just two years ago EPA Administrator Whitman issued a formal report, entitled the "Water Gap Analysis," which estimated the twenty-year fiscal shortfall between what we are currently spending and what is required at \$388 billion.

Further, the bill includes cuts beyond those required by the budget resolution. Perhaps the most notable is the reduction of \$190 million of Land and Water Conservation Act funding, including funding for all new Federal land acquisitions as well as all assistance to States. This, too, is something that I cannot support.

In Colorado and across the country there is a need for wise reinvestments of the funds coming into the treasury from oil and gas development on the Outer Continental Shelf and elsewhere. The wise principle of the Land and Water Conservation Fund Act is that these short-term gains should be used to provide long-term assets for the American people. This bill turns its back on that principle.

Of course, there are some good things in this bill. I am particularly glad that because of the adoption of an amendment I sponsored along with Mrs. CUBIN, Mr. RAHALL, and Mr. CANNON it includes \$242 million for the payments in lieu of taxes—or PILT—program that is so important to local governments in Colorado and across the country. This is only about 80 percent of the amount authorized for PILT, but it is a great improvement over the amount proposed by the administration—which sought a cut of \$26 million below last year's level.

Nonetheless, overall, the bill falls woefully short of what is needed and I do not think it deserves to pass.

Mr. STARK. Madam Chairman, I rise today in opposition to H.R. 2361. This legislation is irresponsible. It under-funds programs to preserve open space. It endangers public health. And, it abdicates our responsibility to protect the environment for future generations.

In this time of increased growth and urban sprawl, our green spaces are more precious than ever. Instead, this bill eliminates funding for the Land and Water Conservation Fund, designed to help local communities preserve open space, protect wildlife and make recreation opportunities available in urban areas.

In addition, this bill cuts funding for the environmental enforcement activities of the EPA by \$12 million. Republicans have consistently sought to weaken environmental standards and this maneuver is the latest in a series of attempts to undermine what have been successful environmental protections and the best of big business. Big business should never be allowed a free pass to destroy the environment while endangering the health of millions of Americans who will be exposed to dirtier air and water.

I won't vote for this indefensible legislation that only serves to harm the environment and put Americans' health at risk. We have a responsibility to protect our citizens and our environment and this legislation blatantly takes us in the opposite direction. I urge my colleagues to vote "no."

Mr. FILNER. Madam Chairman, unfortunately I did not get a chance to offer an amendment with Mr. REYES to provide an additional \$10 million for a critical program in the Interior-EPA Appropriations bill. The funds would have been used for "architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission."

This is the section of the EPA's State and Tribal Assistance Grants program that funds the Border Environment Infrastructure Fund (BEIF). The amendment would have transferred the \$10 million out of the U.S. Geological Survey's (USGS) \$974.5 million appropriation. The USGS appropriation in this bill is currently \$39 million more than the FY2005 appropriation, and \$41 million more than the president's request. The border program, on the other hand, has been flat-funded at \$50 million for several years.

The record should reflect that we did not intend for the USGS's National Water-Quality Assessment (NAWQA) Program to be impacted by the reduction in USGS's appropriation. NAWQA carries out very important work collecting and analyzing data and information in more than 50 major river basins and aquifers across the Nation in order to develop long-term information on streams, ground water, and aquatic ecosystems in support of sound management and policy decisions. This critical program would have been shielded from the \$10 million cut in USGS appropriations.

In Imperial County, California, the New River carries raw sewage from Mexico through the town of Calexico, and air pollution from Mexicali contributes to the worst childhood asthma rates in the state. A modest increase in funding for the BEIF would begin to improve the situation. The BEIF, which was established by the North American Development Bank to

administer grant resources provided by the EPA, helps finance the construction of water and wastewater projects in the U.S.-Mexico border region.

The objective of the BEIF is to make environmental infrastructure projects affordable for communities throughout the U.S.-Mexico border region by combining grant funds with loans or other forms of financing. It is designed to reduce project debt to a manageable level in cases where users would otherwise face undue financial hardship.

We have seen what BEIF can accomplish when it has adequate funding. BEIF grants have played an important role in the successful construction of water conservation projects in the Cameron Irrigation District in Texas; a wastewater project in Heber, California; a wastewater collection and treatment project in Patagonia, Arizona; and a sewer system and wastewater treatment plant in the Salem and Ogaz communities in New Mexico.

All projects supported by the BEIF must have a health and/or ecological benefit in communities on the U.S. side of the border. All projects must also be certified in a rigorous vetting process undertaken by the Border Environment Cooperation Commission.

There is strong support for increasing BEIF funding. The bipartisan Border Governors' joint declaration last year called for a "substantial increase" in funding for the program.

While many important programs in the Interior-EPA Appropriations bill have been short-changed, the lack of funding for BEIF is particularly troubling. The border region is in desperate need of assistance. Communities in the border region struggle with some of the highest poverty rates in the Nation as well as air and water pollution—often originating in northern Mexico—that contributes to severe public health problems. The region lacks basic infrastructure, such as water and sewer service, that most of the rest of the country takes for granted.

The neglect of these largely low-income and Hispanic communities, along with the dirty air and water they are forced to endure, represent a grave environmental injustice. According to the U.S.-Mexico Border Health Commission, the border region includes three of the ten poorest counties in the United States and twenty-one counties that have been designated as economically distressed areas.

The Commission also reports that approximately 432,000 people live in 1,200 colonias in Texas and New Mexico, which are unincorporated, semi-rural communities that are characterized by substandard housing and unsafe public drinking water or wastewater systems. If the border region were made the 51st state in the Union, it would rank last in access to health care; second in death rates due to hepatitis; last in per capita income; and first in the numbers of school children living in poverty, according to the Commission.

The Good Neighbor Environmental Board, an independent U.S. Presidential advisory committee that operates under the Federal Advisory Committee Act, recommends restoring BEIF to its mid-1990s funding level of \$100 million dollars.

There are currently 105 certified clean water projects in the pipeline waiting for funding. Examples of the many certified projects that could be carried out in disadvantaged communities if the BEIF had an appropriate funding level include: Water/wastewater systems im-

provements in Brawley, California; a wastewater project in Nogales, Arizona; a solid waste project in Doña Ana County, New Mexico; and a water conservation project in Brownsville, Texas.

Supporters of this amendment include the Border Trade Alliance, the Border Counties Coalition, Clean Water Action, National Council of La Raza and others.

I will continue fighting to increase appropriations for the Border Environment Infrastructure fund and protect communities in the border region.

Mr. FARR. Madam Chairman, I rise in strong opposition to both the Peterson Amendment and the Istook Amendment. If passed, these amendments will trample on a long-standing bipartisan moratorium on offshore oil and gas development that was initiated by former President Bush, continued under President Clinton, and endorsed in President Bush's FY 2006 budget. Given this legacy of strong bipartisan support, I am simply amazed that the OCS moratorium is under such assault.

However, this is exactly what we face today with these amendments. Mr. Peterson's amendment strikes liquefied natural gas (LNG) from the moratorium while Mr. ISTOOK's amendment calls for the entire moratorium in the Eastern Gulf of Mexico, on both oil and gas, to vanish—poof—when the United States meets an arbitrary percentage of crude oil imports, 66.7 percent.

Every year since 1982, Congress has included language in the Interior and Environment Appropriations bill to prevent the Department of Interior from using funds for leasing, pre-leasing, and related activities in sensitive coastal waters. Mr. Speaker, some might wonder why so many coastal areas stand firmly behind the OCS moratorium. I answer with tourism, tourism, and more tourism. Tourism is not just a major industry for coastal states or a mere staple of their coastal economies. It is, along with recreation, the fastest growing sector of the ocean economy according to the President's own U.S. Commission on Ocean Policy's Final Report. The money spent by tourists pay the bills and put food on the table for the people living in these communities. Offshore oil and gas drilling directly threatens this economic engine and the people of these communities know it.

By removing LNG from the moratorium, Mr. PETERSON's amendment ignores the many concerns being raised about all phases of the LNG process—from exploration all the way to arrival at our ports. These concerns must be considered with more than a few minutes of discussion.

As for Mr. ISTOOK's amendment, we had an opportunity one month ago with H.R. 6 to set a strong and visionary national energy policy to reduce our dependence on imported oil, and yet we did not take advantage of that opportunity. And so today, his amendment attempts to make coastal communities pay for that lack of vision.

Madam Chairman, I cannot accept these amendments because they are short-sighted and fail to uphold decades of bipartisan agreement on protecting our coastlines from oil and gas drilling. At their core, they fail to honor our communities and our environment. In conclusion, Madam Chairman, the Peterson and Istook Amendments should be defeated and I urge a "no" vote on both of them.

Mr. NUSSLE. Madam Chairman, I rise to speak on the appropriations bill for the Department of the Interior, Environment, and Related Agencies. This measure is part of the first wave of appropriations bills to be considered under the fiscal year 2006 budget resolution, and provides for the resource management needs for our Nation, clearly a national priority. The bill, which is in compliance with H. Con. Res. 95, the concurrent resolution on the budget, provides appropriations for most of the Department of the Interior, the Environmental Protection Agency, the Forest Service, the Indian Health Service, the Smithsonian Institution, and the National Foundation for the Arts and Humanities, among others.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

For the first time, the House Appropriations subcommittee on Interior, Environment, and Related Agencies marked up a bill with their new jurisdiction, reflecting additional responsibility for all discretionary programs under the Environmental Protection Agency and losing some Energy Department programs previously under their jurisdiction. H.R. 2361 provides \$26.1 billion in appropriations for fiscal year 2006, which is \$653 million, or 2.2 percent, below the fiscal year 2005 level. The level is \$432 million over the President's request. The bill complies with section 302(f) of the Budget Act, which prohibits consideration of bills in excess of an Appropriations subcommittee's 302(b) allocation of budget authority and outlays established in the budget resolution.

This measure, like government spending on the whole, has been drawn up under a tighter-than-normal budget constraint. However, this does not mean that needed services are cut in a meaningful way. Two examples from the bill are useful in illustrating this point, one in firefighting through the Forest Service and the Department of the Interior, and the other in water programs for the EPA.

Regarding firefighting, I would point out that the base we are using for comparison, had higher-than-normal spending due to a one-time appropriation of \$500 million to be used as insurance in case regular fire fighting appropriations become exhausted. Excluding this one-time appropriation means that the measure before us is \$153 million less than the 2005 level rather than \$653 million less than 2005. Moreover, some of this one-time money is still available, and will remain available for obligation next fiscal year too for its intended use if regular funding becomes exhausted.

In the water program area, the committee looked for ways to secure funding for EPA's Clean Water Program, a program mentioned even during our own budget resolution proceedings. I understand that GAO found over \$100 million in expired EPA grants, contracts, and inter-agency agreements, and that the bill rescinds this money in order to fund an increase in the level of Clean Water Program funding to \$850 million from the President's request of \$730 million. While it may be the case that the \$100 million found in these accounts, some dating back to the 1980s, would never have been actually been spent, the savings constitute legitimate efforts under the Budget Act. I also note that because this account carries hundreds of millions of dollars in unobligated balances from year to year, the impact from budget reductions relative to the current fiscal year are not likely to result in reductions in community investments next fiscal year.

H.R. 2361 does not contain any emergency-designated BA, which is exempt from budget limits. The bill reduces a National Park Service contract authority account by \$30 million—an account not subject to annual appropriations—thereby offsetting discretionary spending through changes in a mandatory spending program. If this provision were stricken (because it constitutes legislating on an appropriations bill) the measure as reported would exceed its allocation under section 302(b) of the Congressional Budget Act.

As we enter the appropriations season, I wish Chairman LEWIS and our colleagues on the Appropriations Committee the best in maintaining their admirable pace of bringing bills to the floor.

In conclusion, I express my support for H.R. 2361.

Mr. GENE GREEN of Texas. Madam Chairman, today are considering the Interior Appropriations Bill, which provides Federal funding for our national parks, as well as the Environmental Protection Agency. I agree with the assessment of our ranking member, Mr. OBEY, that this subcommittee has done good work with a difficult allocation. I would have preferred more resources devoted to important environmental, land management, and land conservation programs.

As this bill moves forward, I hope to work with the subcommittee to provide EPA funding for a much-needed study on air toxics in east Harris County, which lies in the district I represent. The Houston Chronicle recently completed a five-part series titled "In Harm's Way" that investigated air toxics in these "fence-line" communities near industrial facilities.

In particular, the series noted that the Texas Commission on Environmental Quality found that folks residing in some of Houston's East End neighborhoods experience higher levels of potentially carcinogenic compounds than other areas.

For many years, residents have had concerns and questions about the quality of the air in Houston's East End, the potential relationship to local industry, and the potential health effects on families.

While it came to few conclusions about health impacts of air toxics in Houston, the Chronicle series raised an alarm and confirmed that there is a pressing need for a comprehensive Air Toxics Risk Assessment to properly identify any adverse health effects and their possible relationship to local industry.

With support from the EPA, the City of Houston plans to utilize methods from the EPA's National Urban Toxics Program, which has proven successful in other cities with air quality issues.

The City of Houston, partnering with the University of Texas School of Public Health, is already working to characterize the science and weigh the evidence on health effects. Federal funding would broaden the scope of these efforts to ensure that we can include the full range of risk assessment activities in our efforts to improve the air in Houston.

The folks in fence-line communities are often the workers who produce many of the essential energy and petrochemical products we all use everyday, and they deserve accurate information about their environment.

I look forward to working with the EPA on this effort and hope that the Appropriations Committee will see it fit to include this critical

funding during conference negotiations on this legislation.

Mr. HOLT. Madam Chairman, I rise to express my disappointment with the Interior Appropriations bill that we are considering today. I am concerned with the lack of funding for many important programs, and am particularly concerned with the Appropriation Committee's decision to zero out funding for a federal program that is important to my state and the nation—the Land and Water Conservation Fund.

The Land and Water Conservation Fund has been instrumental in assisting local and state government's preserve such vital open spaces as the Land and Water Conservation Fund (LWCF). This program was established in 1965 to address rapid overdevelopment by increasing the number of high quality recreation areas and facilities and by increasing the local involvement in land preservation. To achieve this goal, the fund was separated into two components, one portion of the fund serves an account from which the federal government draws from to acquire land and the other portion is distributed to states in a matching grant program.

New Jersey has been active in seeking grants from this program and has received funds from the LWCF that were used to preserve treasures such as the Pinelands National Reserve and the Delaware National Scenic River. In addition, LCWF has provided more than \$111 million in state and local grants to build softball fields, rehabilitate playgrounds and to expand state parks.

Unfortunately, in recent years funding for the state side part of this program has been insufficient. In fact, this program was zeroed out in the mid-1990s. In 1999, I joined Representative MCGOVERN in restoring funding for this program. Since then funding for the program has risen to 91 million in Fiscal Year 2005, I am dismayed that the Interior Appropriations bill for Fiscal Year 2006 has once again zeroed out funding for the state grant portion of the program. I am fully aware that we are working under a tight budget and that many programs in this bill receive a significant reduction in funding, but I believe that it is unnecessary and unwise to strip this program of all funding.

Urban and highly developed regions will suffer the most from the elimination of the LWCF state grant program. The LCWF matching grant program has proven to be a successful way to overcome the high cost of living that makes land acquisition and renewal projects costly in these regions. Elimination of this program will leave local leaders without the financial capital necessary to enhance the quality of life in their communities.

Theodore Roosevelt once said, "The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired, in value." Although the citizens of New Jersey and this nation have demonstrated their enthusiasm for this program, this bill fails to meet their commitment to our future.

Mr. CARDIN. Madam Chairman, I have some grave concerns about several provisions of this bill. Among the most important concerns to Marylanders is the fact that this bill cuts clean water funding by \$241 million from last year's appropriated level—bringing our financial commitment to clean water down to 1989 funding levels. This money—in the Clean Water State Revolving Fund—pays for sew-

age system upgrades across the country. We in Maryland know how incredibly important this money is to protect the health of our people.

Fifty million gallons of waste will spew from Baltimore's crumbling sewers in May. Nitrogen pollution is the most significant environmental hazard facing the Chesapeake Bay. The so-called "dead zones" in the Chesapeake Bay and its tributaries (in which there is too little oxygen to support a healthy ecosystem) are a direct result of nutrient pollution, principally nitrogen. In July of 2003, data from the EPA's Chesapeake Bay Program shows one of the largest areas of oxygen-depleted water seen since the program began monitoring 20 years ago.

The Clean Water Act requires the Environmental Protection Agency to issue permits for all sewage treatment plants that will protect water quality in the Chesapeake Bay and its tributaries, yet the EPA routinely fails to include restrictions on nitrogen pollution in these permits. The EPA has not updated the standards on nitrogen pollution in almost 20 years.

We need to commit more money—not less—to enforce the Clean Water Act.

No issue united the people of Maryland and our region as well as the effort to "Save the Bay." Rather than fulfill the obligations of the federal government to serve these people and protect the Bay, this bill reduces the federal government's commitment to enforcing the Clean Water Act.

We have an obligation to ensure that our estuaries nationwide are there for future generations, and to do that we must restore funding to enforce the Clean Water Act.

Ms. PELOSI. Madam Chairman, I rise to express my deep concerns about the FY06 Interior and Environment Appropriations Bill.

This bill epitomizes the Republican plan; hand out lavish tax breaks to the wealthy while slashing crucial domestic programs.

In this bill, there are painful cuts to a wide range of valuable programs, from EPA enforcement to the Land and Water Conservation Fund. Among them all, the cuts in clean water funding stand out as a prime example of what's wrong with the Republican budget.

Nothing is more essential to human health than clean water. If we follow down the path the Republicans are leading us, there will be water, water everywhere, but not a drop of it to drink.

More than three decades ago, Americans rose up in outrage, appalled by our filthy rivers and lakes. Congress responded to the clarion call for clean water with the Federal Water Pollution Control Act Amendments of 1972, which evolved into the modern Clean Water Act.

The Clean Water Act set the goals of zero discharge of pollutants, and achieving water that is clean enough to be "fishable" and "swimmable."

When upstream communities fail to clean up their sewage or prevent polluted runoff, downstream communities pay the price. Beaches must be closed to protect swimmers from harmful bacteria and virus. Fish cannot be eaten, and shellfish cannot be harvested. Water must be treated more thoroughly before it can become drinking water.

We have made enormous progress since the infamous day the Cuyahoga River caught fire in 1969. For three decades, the federal government has been an essential partner, working with the states to pay for clean water infrastructure.

The key federal program today is the Clean Water State Revolving Fund, which provides funding for wastewater collection and treatment, correction of combined sewer overflows, and control of storm water and non-point source pollution. These funds also create good jobs for engineers, contractors, skilled laborers, and manufacturers.

But our work is not done. About 45 percent of water bodies in the U.S. that have been assessed do not meet our water quality standards.

Our wastewater infrastructure is aging, and our population is growing. The Environmental Protection Agency's estimates funding needs range between \$300 billion and \$400 billion over the next 20 years.

This bill turns back the clock on clean water, slashing the Clean Water State Revolving Fund for the second year in a row. Cuts for this program total \$500 million in this two-year period.

This is the wrong thing to do, and the public agrees. A recent poll showed Americans want clean water to be a national priority—67 percent say they prefer spending for clean and safe water over tax cuts.

Madam Chairman, I also wish to state my support for the Stupak amendment on sewage blending. "Sewage blending" is a euphemism referring to the practice of allowing some sewage to bypass the secondary treatment phase, the phase in which toxic chemicals, viruses, parasites, and other pathogens are removed.

The amendment would not block current practices needed to cope with heavy rains or snowmelt, but it would prevent EPA from expanding the use of sewage blending.

Furthermore, I intend to support the Andrews-Chabot amendment to stop wasteful and destructive logging in the Tongass National Forest, and the Hastings amendment to promote environmental justice. It is unconscionable that minorities and low-income communities are subjected to worse water and air pollution than other Americans.

Madam Chairman, clean water is precious and must be treated as such. For the sake of our children, and our grandchildren, let us take care of this most basic of needs: clean water.

Mr. DICKS. Madam Chairman, I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

The Acting CHAIRMAN (Mrs. CAPITO). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2361

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the

Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$845,783,000, to remain available until expended, of which \$1,000,000 is for high priority projects, to be carried out by the Youth Conservation Corps; and of which \$3,000,000 shall be available in fiscal year 2006 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

In addition, \$32,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$845,783,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

WILDLAND FIRE MANAGEMENT (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$761,564,000, to remain available until expended, of which not to exceed \$7,849,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That not-

withstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews or related partnerships with State, local, or non-profit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into non-competitive sole source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$11,476,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579, including administrative expenses and acquisition of lands or waters, or interests therein, \$3,817,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$110,070,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEM HEALTH AND RECOVERY
FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102-381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and recovery activities, such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f-1 et seq., and Public Law 106-393) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed \$10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE
RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, maintenance of the herd of longhorned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, \$1,005,225,000, to remain available until September 30, 2007, except as otherwise provided herein: *Provided*, That \$2,000,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: *Provided further*, That not to exceed \$18,130,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed \$12,852,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2005: *Provided further*, That of the amount available for law enforcement, up to \$400,000, to remain available until expended, may, at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: *Provided further*, That of the amount provided for environmental contaminants, up to \$1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$41,206,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for

acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$14,937,000 to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That land and non-water interests acquired from willing sellers incidental to water rights acquired for the transfer and use at Lower Klamath and Tule Lake National Wildlife Refuges under this heading shall be resold and the revenues therefrom shall be credited to this account and shall be available without further appropriation for the acquisition of water rights, including acquisition of interests in lands incidental to such water rights, for the two refuges: *Provided further*, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$23,700,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, federally recognized Indian tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish or supplement existing landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, candidate, or other at-risk species on private lands.

PRIVATE STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$7,386,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That the amount provided herein is for the Private Stewardship Grants Program established by the Secretary to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, candidate, or other at-risk species.

COOPERATIVE ENDANGERED SPECIES
CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended, \$84,400,000, of which \$20,161,000 is to be derived from the Cooperative Endangered Species Conservation Fund and \$64,239,000 is to be derived from the Land and Water Conservation Fund and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$14,414,000.

NORTH AMERICAN WETLANDS CONSERVATION
FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, as amended, \$40,000,000 to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106-247 (16 U.S.C. 6101-6109), \$4,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105-96; 16 U.S.C. 4261-4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301-5306), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), and, the Marine Turtle Conservation Act of 2004 (Public Law 108-266; 16 U.S.C. 6601), \$5,900,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$65,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That of the amount provided herein, \$6,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting said \$6,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, by October 1, 2005, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction's wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of

those species: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant if its comprehensive wildlife conservation plan is disapproved and such funds that would have been distributed to such State, territory, or other jurisdiction shall be distributed equitably to States, territories, and other jurisdictions with approved plans: *Provided further*, That any amount apportioned in 2006 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2007, shall be reapportioned, together with funds appropriated in 2008, in the manner provided herein: *Provided further*, That balances from amounts previously appropriated under the heading "State Wildlife Grants" shall be transferred to and merged with this appropriation and shall remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of passenger motor vehicles; repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That, notwithstanding any other provision of law, the Service may use up to \$2,000,000 from funds provided for contracts for employment-related legal services: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That, notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 108-330.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, \$1,754,199,000, of which \$30,000,000 is provided above the budget request to be distributed to all park areas on a pro-rate basis and to remain in the park base; of which \$9,892,000 is for planning and interagency coordination in support of Everglades restoration and shall remain available until expended; of which \$97,600,000, to remain available until September 30, 2007, is for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service

automated facility management software system, and comprehensive facility condition assessments; of which \$1,937,000 is for the Youth Conservation Corps for high priority projects: *Provided*, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$10,000 per event subject to the review and concurrence of the Washington headquarters office.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, \$82,411,000.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, \$48,997,000: *Provided*, That none of the funds in this Act for the River, Trails and Conservation Assistance program may be used for cash agreements, or for cooperative agreements that are inconsistent with the program's final strategic plan.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$72,705,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2007, of which \$30,000,000 shall be for Save America's Treasures for preservation of nationally significant sites, structures, and artifacts: *Provided*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant: *Provided further*, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations and the President's Committee on the Arts and Humanities prior to the commitment of Save America's Treasures grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects, following approval, shall be available by transfer to appropriate accounts of individual agencies: *Provided further*, That hereinafter and notwithstanding 20 U.S.C. 951 et seq. the National Endowment for the Arts may award Save America's Treasures grants based upon the recommendations of the Save America's Treasures grant selection panel convened by the President's Committee on the Arts and the Humanities and the National Park Service.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$308,230,000, to remain available until expended, of which \$17,000,000 for modified water deliveries to Everglades National Park shall be derived by transfer from unobligated balances in the "Land Acquisition and State Assistance" account for Everglades National Park land acquisitions: *Provided*, That none of the funds available to the National Park Service may be used to plan, design, or construct any

partnership project with a total value in excess of \$5,000,000, without advance approval of the House and Senate Committees on Appropriations: *Provided further*, That, notwithstanding any other provision of law, the National Park Service may not accept donations or services associated with the planning, design, or construction of such new facilities without advance approval of the House and Senate Committees on Appropriations: *Provided further*, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be expended consistent with the requirements of the fifth proviso under this heading in Public Law 108-108: *Provided further*, That none of the funds provided in this or any other Act may be used for planning, design, or construction of any underground security screening or visitor contact facility at the Washington Monument until such facility has been approved in writing by the House and Senate Committees on Appropriations.

LAND AND WATER CONSERVATION FUND (RESCISSION)

The contract authority provided for fiscal year 2006 by 16 U.S.C. 4601-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$9,421,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which \$1,587,000 is for the administration of the State assistance program.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 245 passenger motor vehicles, of which 199 shall be for replacement only, including not to exceed 193 for police-type use, 10 buses, and 8 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That in fiscal year 2006 and thereafter, appropriations available to the National Park Service may be used to maintain the following areas in Washington, District of Columbia: Jackson Place, Madison Place, and Pennsylvania Avenue between 15th and 17th Streets, Northwest.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chap-

ter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

If the Secretary of the Interior considers the decision of any value determination proceeding conducted under a National Park Service concession contract issued prior to November 13, 1998, to misinterpret or misapply relevant contractual requirements or their underlying legal authority, the Secretary may seek, within 180 days of any such decision, the de novo review of the value determination by the United States Court of Federal Claims, and that court may make an order affirming, vacating, modifying or correcting the determination.

In addition to other uses set forth in section 407(d) of Public Law 105-391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefiting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefiting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefiting unit, in the amount of funds so expended to extinguish or reduce liability.

UNITED STATES GEOLOGICAL SURVEY SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; \$974,586,000, of which \$63,770,000 shall be available only for cooperation with States or municipalities for water resources investigations; of which \$8,000,000 shall remain available until expended for satellite operations; of which \$23,320,000 shall be available until September 30, 2007, for the operation and maintenance of facilities and deferred maintenance; of which \$1,600,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed \$100,000 in cost; and of which \$174,765,000 shall be available until September 30, 2007, for the biological research activity and the operation of the Cooperative Research Units: *Provided*, That none of the funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase and replacement of pas-

senger motor vehicles; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, \$152,676,000, of which \$77,529,000 shall be available for royalty management activities; and an amount not to exceed \$122,730,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service (MMS) over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided*, That to the extent \$122,730,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach \$122,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That \$3,000,000 for computer acquisitions shall remain available until September 30, 2007: *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of MMS concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That in fiscal year 2006 and thereafter, the MMS may under the royalty-in-kind program, or under its authority to transfer oil to the Strategic

Petroleum Reserve, use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, to process or otherwise dispose of royalty production taken in kind, and to recover MMS transportation costs, salaries, and other administrative costs directly related to the royalty-in-kind program: *Provided further*, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$7,006,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; \$110,435,000: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2006 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, \$188,014,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to \$10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided*, That grants to minimum program States will be \$1,500,000 per State in fiscal year 2006: *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts allocated under section 402(g)(2) of the Surface Mining Control and

Reclamation Act of 1977 (30 U.S.C. 1232(g)(2)) as of September 30, 2005, but not appropriated as of that date, are reallocated to the allocation established in section 402(g)(3) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(3)): *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISIONS

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title for computer hardware, software and other technical equipment to State and Tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, \$1,992,737,000, to remain available until September 30, 2007 except as otherwise provided herein, of which not to exceed \$86,462,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed \$134,609,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2006, as authorized by such Act, of which \$129,609,000 shall be available for indirect contract support costs and \$5,000,000 shall be available for direct contract support costs, except that tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed \$478,085,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2006, and shall remain available until September 30, 2007; and of which not to exceed \$61,267,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed \$44,718,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2005 for the operation of Bureau-funded schools, and up to \$500,000 within and only from such amounts made available for school operations shall be available for the transitional costs of initial administrative cost grants to tribes and tribal organizations that enter into grants for the operation on or after July 1, 2005, of Bureau-operated schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2007, may be transferred during fiscal year 2008 to an Indian forest land assistance account established for the benefit of such tribe within

the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2008.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, \$284,137,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2006, in implementing new construction or facilities improvement and repair project grants in excess of \$100,000 that are provided to tribally controlled grant schools under Public Law 100-297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of replacement school construction projects, the Secretary may assume control of a project and all funds related to the project, if, within eighteen months of the date of enactment of this Act, any tribe or tribal organization receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction of the replacement school: *Provided further*, That this Appropriation may be reimbursed from the Office of the Special Trustee for American Indians Appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$34,754,000, to remain available until expended, for implementation of Indian land and water claim settlements pursuant to Public Laws 99-264, 100-580, 101-618, 106-554, 107-331, and 108-34, and for implementation of other land and water rights settlements, of which \$10,000,000 shall be

available for payment to the Quinault Indian Nation pursuant to the terms of the North Boundary Settlement Agreement dated July 14, 2000, providing for the acquisition of perpetual conservation easements from the Nation.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, \$6,348,000, of which \$701,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$118,884,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase and replacement of passenger motor vehicles.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations or pooled overhead general administration (except facilities operations and maintenance) shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans),

the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106-113, if a tribe or tribal organization in fiscal year 2003 or 2004 received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101-301, the Secretary shall continue to distribute indirect and administrative cost funds to such tribe or tribal organization using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$76,563,000, of which: (1) \$69,182,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$7,381,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: *Provided further*, That of the amounts provided for technical assistance, sufficient funds shall be made available for a grant to the Pacific Basin Development Council: *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, \$5,362,000, to remain available until expended, as provided for in sections 221(a)(2), 221(b), and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands, and the Government of the United States and the Federated States of Micronesia, as authorized by Public Law 99-658 and Public Law 108-188.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$118,755,000; of which \$23,555,000 shall remain available until expended for a departmental financial and business management system; of which not to exceed \$8,500 may be for official reception and representation expenses; and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines: *Provided*, That none of the funds in this or previous appropriations Acts may be used to establish any additional reserves in the Working Capital Fund account other than the two authorized reserves without prior approval of the House and Senate Committees on Appropriations.

AMENDMENTS OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Madam Chairman, I offer several amendments, and I ask unanimous consent they be considered en bloc.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The Clerk read as follows:

Amendments offered by Ms. SLAUGHTER: Beginning on page 44, line 25, strike “; of which \$23,555,000 shall remain available until expended for a departmental financial and business management system;” and insert “(reduced by \$8,000,000);”.

Page 75, line 12, insert “(reduced by \$7,000,000)” after the dollar amount.

Page 106, line 9, insert “(increased by \$10,000,000)” after the dollar amount.

Page 106, line 13, insert “(increased by \$10,000,000)” after the dollar amount.

Page 106, line 25, insert “(increased by \$5,000,000)” after the dollar amount.

□ 1300

Mr. TAYLOR of North Carolina. Madam Chairman, I ask unanimous consent that debate on this amendment, and any amendments thereto, be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN (Mrs. CAPITO). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Acting CHAIRMAN. The Chair recognizes the gentlewoman from New York (Ms. SLAUGHTER) for 10 minutes.

Ms. SLAUGHTER. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise to offer an amendment that will redress a grievous act that was perpetrated, without our knowledge, on a majority of this great body.

Last year, with a resounding vote of 241 Members, the House voted an increase for our Federal arts agency that

we knew would pay us back many times over, both in hard dollars and in ways that are simply incalculable for the people we represent.

The actual amounts were small, an increase of \$10 million for the National Endowment for the Arts and \$3.5 million for the National Endowment for the Humanities.

But the loss was great. After conferees met for the omnibus funding bill, NEA, incredibly, received just several hundred thousand dollars, and NEH received less than \$3 million.

Not only was the will of this great body thwarted, but also the creative activities of our artistic constituents in every congressional district in this country were stifled.

Grants were not made and those grants were not matched. Works were not created. Performances did not happen. Audiences did not gather. Minds were not enlightened, souls were not fed; and the small businesses that depend on the nonprofit arts community did not profit.

Finally, the funds that should have been returned to the Federal Treasury in the form of tax receipts, many times over the original amounts, never arrived. It was a lose-lose situation for everyone involved: the artists, the audiences, our communities, and our small businesses, as well as our local, State, and Federal treasuries.

By all rights, I should be standing here asking my colleagues not just to restore the moneys that we voted for last year, but to double them. If our Federal deficit were not so huge and our budgets so tight, believe me, I would be doing just that.

Instead, I ask you simply to put these Federal art agencies back in business where we funded them last year, with an increase of \$10 million for NEA and \$5 million for NEH.

The President's own budget request for NEA was telling. In it, even as he suggested level funding for the agency, he asked that American Masterpieces, a majestic program that emphasizes the best of American art, should be increased by \$6.5 million.

President Bush was rightfully enthusiastic about that program. It is an increase that I personally applaud. But unless we provide an overall increase for NEA, the money is slated to come from Challenge America, a highly popular program that supported artists in more than 99 percent of our congressional districts last year.

That is not a good idea. Challenge America grants go to the towns and hamlets of this sprawling country, where big touring companies will rarely go, and major actors, actresses, writers and artists may never appear in person. For example, last year Challenge America grants went to Aliceville, Alabama and to Bainbridge Island, Washington; to Red Wing, Minnesota and Lucas, Kansas. They energized audiences in Texarkana, Texas and Locust Grove, Arkansas, and spellbound art-hungry folks in Albany, Georgia and Billings, Montana.

We can and should do both: increase American Masterpieces as the President wishes, and continue to challenge the artists and their audiences in our congressional districts by funding Challenge America.

Madam Chairman, \$10 million will ensure that the program will prosper and grow, with Chairman Gioia using up to 10 percent of the money to ensure effective administration of this fine program. And \$5 million will enhance NEH's We the People, which promotes the teaching and understanding of American history.

But let me remind my colleagues, even with these increases, we are far from providing the agencies with the funds they received in the mid-1990s. As you see from the first chart, NEA is currently funded at \$121 million, but received \$176 million in 1992. And NEH is funded at \$138 million, while it received \$175.5 million in 1994.

Why is it so important to rebuild the funding for these agencies? Well, every year I stand here and remind you what an economic powerhouse the nonprofit arts industry has become in American. As this second chart proves, it produces over \$134 billion annually. I do not know of any other investment we make that does that. Please note it returns \$10.5 billion to the Federal Treasury.

In these difficult financial times for so many of our districts, as our local leaders strive to balance their budgets by cutting services, we would be irresponsible not to invest in the arts. While other industries have suffered, the nonprofit arts world continues to build in strength while it encourages the growth of innumerable small businesses on its periphery, thereby creating more jobs.

This third chart may surprise Members. It demonstrates the financial muscle of the arts industry, which has produced far more jobs than all of America's farmers, programmers, doctors, lawyers, or accountants. This is an amazing chart.

In fact, while the national economy has grown at a rate of 3.8 percent, the arts have far out-distanced that number by expanding at a rate of 5.5 percent.

And all of that said, I also stand before you at this time, every year, to remind us all of the stunning gifts American artists make to our daily lives. Their creative force not only helps our children learn but also makes them smarter. It brightens the life of each one of us, bringing us joy and comfort, enlightenment and understanding, in ways impossible to find otherwise.

The arts and artists of America are our national treasure, which this great Nation needs, deserves, and must support as other nations do.

For these reasons, I urge Members to vote for the Slaughter/Shays/Dicks/Leach/Price amendment, and thank my colleagues who have joined me today.

Madam Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the gentlewoman is obviously speaking seriously about the arts and humanities. Certainly we support both and have done so generously in this bill. The American public supports arts now by over \$9 billion. The government's support is a very minimal part of that \$9 billion. In fact, this increase would be an even smaller part of that \$9 billion, and so it would be hardly noticeable inside the total support of the arts.

What we are having to sacrifice, though, is to reduce funding for the administration of the Department of the Interior by \$8 million and administration of the Forest Service by \$7 million. This will cost some 200 staff positions in the Department of the Interior and Forest Service. They are responsible for 634 acres in the United States. This is a primary obligation we have. It is not supported by \$9 billion of public support. It is primarily supported with the funding that this Committee has the duty to appropriate.

That is why we are trying to do our primary job by maintaining the levels that we did and to find a balance to show our support for the arts and do the mandated portion that we must do for the Department of the Interior and the Forest Service.

Members can count on us to continue to support the arts, to watch the oversight of our Committees, and this bill strikes a fair balance between the needs of the arts and our responsibility to land management and Indian programs. I ask Members to join me in opposition to this amendment.

Madam Chairman, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Chairman, I yield 2 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Madam Chairman, I rise to urge support for the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) and myself to increase the funding for the National Endowments for the Arts and Humanities. The amendment would provide an additional \$15 million for the endowments—\$10 million for the National Endowment for the Arts, and \$5 million for the National Endowment for the Humanities. The increase would be offset by reductions in various accounts.

My colleagues may recall that a similar amendment passed the House last year during consideration of the 2005 Department of the Interior bill by a vote of 241 to 185. The amendment provided an additional \$10 million for the NEA and \$3.5 million for the NEH.

Once again the gentlewoman from New York (Ms. SLAUGHTER) and I are asking for support for this amendment, and perhaps we can obtain a greater margin than last year.

I have sensed over the last few years that the battle over this amendment has cooled and we can move on knowing that a healthy majority in the

House agrees that these two important programs deserve our strong financial support.

This debate presents a good opportunity to make sure our new colleagues understand the importance of this modest Federal support and how it has such a tremendous impact on every one of our congressional districts. Each of the NEA and NEH grants is modest in size, but it is vitally important to the communities they reach. The Federal money serves as a catalyst to draw in private contributions. In fact, we now know that higher levels of Federal money will leverage even greater private support.

Unfortunately, since 1996, the endowments have been underfunded. The endowments are still being funded below their level of 10 years ago. In 1996, Congress reduced the NEA by 39 percent and NEH by 36 percent. Our amendment does not restore those funding levels of a decade ago, but it does provide an opportunity for the Members of the House to show their strong support for the endowments by approving this modest amendment.

Mr. TAYLOR of North Carolina. Madam Chairman, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Madam Chairman, I rise in support of the Slaughter/Shays/Dicks/Leach/Price amendment for increased funding for the National Endowment for the Humanities and the National Endowment for the Arts.

As co-chair of the newly established Congressional Humanities Caucus, I am pleased to support this amendment which will in particular increase funding for NEH's We the People program by \$5 million.

We the People is an agency-wide program focused on examining and understanding significant events and themes in our Nation's history. An additional \$5 million will enable We the People to support teacher seminars and institutes with new content focusing on American history and civics, media projects focusing on key people and events in American history, and preservation projects that preserve and provide access to important historical documents and artifacts that are central to America's historical and cultural heritage.

We ought to do more, but this modest funding increase will help. It will aid NEH's efforts to conserve and nurture America's heritage, bring humanities to communities across this country, and educate the next generation of Americans. I encourage my colleagues to support this amendment.

Mr. TAYLOR of North Carolina. Madam Chairman, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Chairman, I yield for the purpose of a unanimous

consent request to the gentleman from New Jersey (Mr. HOLT).

(Mr. HOLT asked and was given permission to revise and extend his remarks.)

Mr. HOLT. Madam Chairman, I rise in support of the Slaughter/Shays/Dicks/Leach/Price amendment.

Madam Chairman, I rise today in strong support of the Slaughter-Shays-Dicks-Leach-Price Amendment to provide much needed funds for the National Endowment for the Arts and the National Endowment for the Humanities.

This is a long overdue and a modest funding increase to build programs that use the strength of the arts and our Nation's cultural life to enhance communities in every State and every county around America. The additional funds provided through this amendment would keep intact the very successful Challenge America program, which brings the arts to rural communities and inner-city neighborhoods whose limited resources don't always allow for community arts programs.

In 2004, the Challenge America program provided grants to towns and cities in 99% of congressional districts for jazz and blues festivals, showcases for regional musicians and artists, and public-private partnerships that bring the arts into local schools. Dozens of studies have demonstrated the significant positive effect of arts education on students' academic performance, self esteem, and behavior, and the Challenge America grants are an excellent mechanism to bring the arts to students who can greatly benefit from that exposure.

Similarly, the NEH serves to advance the Nation's scholarly and cultural life. The additional funding contained in this amendment would enable NEH to improve the quality of humanities education to America's school children and college students, offer lifelong learning opportunities through a range of public programs, and support new projects that encourage Americans to discover their storied and inspiring national heritage.

It is clear that increasing funding for the arts and humanities is among the best investments that we, as a society, can make. They help our children learn. They give the elderly sustenance. They power economic development in regions that are down and out. They tie our diverse society and country together.

Will the projects that would be sponsored by this increase in funding help defend our country? Probably not, but they will make our country more worth defending. I urge my colleagues to support this amendment.

Ms. SLAUGHTER. Madam Chairman, I yield for the purpose of a unanimous consent request to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Madam Chairman, I rise in strong support of the Slaughter/Shays/Dicks/Leach/Price amendment.

Madam Chairman, I rise in strong support of Slaughter/Shays/Dicks/Leach amendment to increase funding for the National Endowment for the Arts, NEA, and the National Endowment for the Humanities, NEH.

The arts are crucial for the flourishing and development of societies. As our economy

continues to grow it is important that the arts remain a priority in our communities. As former President Kennedy stated, "I am certain that after the dust of centuries has passed over our cities, we, too, will be remembered not for our victories or defeats in battles or in politics, but for our contribution to the human spirit."

Though some would consider our economy hard pressed for such funding as this, I implore my colleagues to consider the profound influence of arts-centric businesses.

While some of the country's concerns only affect a minority of people, the involvement in the arts spans all walks of life. Indeed, it weaves together all communities and crosses racial, gender, and religious boundaries.

In my district, the arts create a sense of nationalism for the State and the rest of the country. For, what would Chicago be without the architecture of the Sears Tower, the flourishing talent in Second City, or the abundant museums? Indeed, the beating pulse of America lives and thrives through the arts.

Not only do the arts enrich societies, but the arts is also an industry. In my district there are 2,989 art related businesses and 44,709 people that make their daily living working in the arts. It is obvious that support of arts, also is support of the economy. Arts-Centric businesses supply 578,000 businesses in the United States and employ 2.97 million people. Even more, it is a growing institution, exceeding the total United States business growth rate by 1.7 percent. Not only do the arts help sustain the economy by supplying jobs and generating revenue, it helps to fuel future creative industries and workers.

These future creative workers come in the form of our children. The arts help in a child's brain development and their creative skills. A country without a full expression of the arts would truly create a void in a child's development. They too deserve the right to blossom and flourish their imagination from the various artistic resources.

We cannot disregard the contributions and growing trends of the arts. The arts and humanities support our culture, it supports our economy, and most importantly it supports our future. In my district there is a wealth of diversity. This diversity is preserved through the arts. The arts promote respect for diversity, and appreciation of other cultures. It seems to me, that these elements are necessary for building stable healthy communities.

Madam Chairman, if we minimize these possibilities in the arts, we will be limiting the liberty of our imagination. I request my colleagues to join me in support of this amendment.

Ms. SLAUGHTER. Madam Chairman, I yield for the purpose of a unanimous consent request to the gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Madam Chairman, I also would stand in support of the Slaughter/Shays/Dicks/Leach/Price amendment.

Madam Chairman, I rise today in strong support of the Slaughter Shays-Dicks-Price-Leach Amendment to increase funding for the National Endowment for the Arts and for the National Endowment for the Humanities.

In my district in New Mexico, arts and humanities are a significant part of daily life—the

name "Sante Fe" conjures up images of Georgia O'Keefe's beautiful flowers and Ansel Adams' breathtaking photographs. But arts and humanities programs are also a major employer. New Mexico's third congressional district has over 1,700 arts-related businesses that employ over 5,300 people. This includes the famed Santa Fe Opera, the budding film industry, numerous respected museums, hundreds of art galleries, mariachi bands, arts schools, and more.

Many of these artists make use of grants through the NEA and NEH. Unfortunately, NEA and NEH programs remain seriously underfunded due to past budget cuts. This modest amendment seeks to increase funding for the National Endowment for the Humanities' "We the People," initiative by \$5 million, and the National Endowment for the Arts' "Challenge America" program by \$10 million. In congressional terms, these amounts are a blip on the budget screen. But in terms of what they mean to these programs and the constituents who benefit from them, such increases are incredibly helpful, and can mean the survival of numerous arts and humanities programs around the country.

I often hear from New Mexicans who attest to the effectiveness of the We the People initiative in strengthening youth understanding and appreciation of American history and culture. We the People helps all of us become more aware of our past, our values, and our institutions. I believe this effort is crucial for the progress of our country.

In addition to economic benefits of the arts, recent studies have shown the significant impact that arts education can have on at-risk youth. The YouthARTS Development Project recently conducted a study showing that students who are exposed to arts education show an increased ability to express emotions appropriately, communicate effectively with adults and peers, and to work cooperatively with others. They also show decreased frequency of delinquent behavior, improvement in attitudes toward school, higher self-esteem, and much lower dropout rates. These programs are working, and we must make sure we continue to fund them.

I thank my colleagues for offering this amendment and I urge a "yes" vote.

Ms. SLAUGHTER. Madam Chairman, I yield for the purpose of a unanimous consent request to the gentleman from Oregon (Mr. WU).

(Mr. WU asked and was given permission to revise and extend his remarks.)

Mr. WU. Madam Chairman, I rise in support of the Slaughter/Shays/Dicks/Leach/Price amendment.

□ 1315

Ms. SLAUGHTER. Madam Chairman, I am pleased to yield the balance of my time to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Chairman, I rise in strong support of the amendment to increase funding for the NEA and the NEH. Without this amendment, the continued flat funding the President requested this year will really amount to another cut. I wish we could return to the days of the first President Bush when the arts were funded at \$175 million. The amount we are asking for today amounts to little

more than a comma in the budget, a rounding error when compared to Federal spending in other areas such as defense.

Whether it is the educational value, the cultural enrichment, or the substantial economic windfall the arts and humanities create, the NEA and the NEH are two of the best investments this Nation makes. When we short-change the NEA, we ignore the \$134 billion in business that the arts generate, the 4.8 million jobs, the \$89.4 billion in household income, and the \$25 billion in tax revenues. A recent RAND study noted the importance of the intrinsic benefit of the arts for individuals and communities.

This modest amount asks only to restore the funding level the House supported last year, but that was stripped during conference. It is the very least we should do today. I urge my colleagues to support this amendment and to vote against any attempts to slash funding from the arts and humanities that may be offered in other amendments.

Mr. TAYLOR of North Carolina. Madam Chairman, I yield 30 seconds to the gentleman from Connecticut (Mrs. JOHNSON).

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Madam Chairman, I rise in strong support of this amendment. Certainly if we do not do a better job of educating our children in the arts, we will be a Nation of poor spirit and little understanding. It is really through the arts that we understand how destructive is greed.

Mr. MCGOVERN. Mr. Chairman, I rise in support of this amendment. I commend Congresswoman SLAUGHTER and Congressman SHAYS for all of their hard work supporting the arts and humanities through the Congressional Arts Caucus.

Mr. Chairman, this a very modest amendment. Indeed, I would support significantly greater increases for both the National Endowment for the Arts and the National Endowment for the Humanities. The reason is quite simple—these agencies are good for the Third District of Massachusetts and for every community across the country.

Nationwide, nonprofit arts industries generate \$134 billion annually in economic activity, support 4.85 million fulltime equivalent jobs, and return \$10.5 billion to the Federal Government in taxes. Measured against \$1.4 billion in direct Federal cultural spending that is a return of nearly eight to one. Frankly, there aren't many industries that I can think of with those kinds of returns.

The mid-90s brought drastic funding cuts to Federal arts and humanities programs, and it is now more important than ever to keep funding stable. By adding \$10 million for NEA and \$5 million for NEH, arts businesses will be able to reinvest into their creative enterprises and back into the community. Between 2004 and 2005, growth in the number of arts businesses outpaced total business growth by 5.5 percent vs. 3.8 percent. During this time, when the total number of U.S. jobs shrank 1.9 per-

cent, the drop off of arts employment was less than half that rate.

In my district, there are 1,234 arts-related businesses that employ over 7,000 people. These businesses range from non-profit museums and symphonies to for-profit films and advertising companies. The arts business community serves as a cornerstone for cultural enrichment and the tourist economy. Studies show tourists spend 7 percent more than their local counterparts on arts events. How can we deny that is good for the community's economic, social, and creative well-being.

I would urge my colleagues to join me in supporting the Slaughter Amendment for minor increases in NEA and NEH funding.

Mr. FARR. Madam Chairman, I come to the floor today in strong support of Slaughter amendment to the FY06 Interior Appropriations Act that will increase funding for the National Endowment of the Arts by \$10 million and for the National Endowment for the Humanities by \$5 million. Even with these increases, the funding level for the NEA will still be \$40 million below the FY 1994 level, and the funding level for the NEH will be \$30 million below the FY 1994 level.

This amendment is needed to continue the critical work of the NEA and the NEH in providing Americans with access to the arts, and an understanding of American culture, legacy, history, and civics. By funding the arts and humanities in every congressional district and giving priority to rural and underserved communities, the NEA and the NEH ensure that Americans across the country can discover and share these treasures while instilling a sense of historical and cultural heritage in their children. These funding increases will help ensure that future generations continue to have the opportunity to explore the creative worlds of arts and humanities.

In addition to providing important cultural experiences nationwide, the NEA and the NEH also support economic growth and tourism nationwide. The non-profit arts industry generates \$134 billion in economic activity, supporting \$4.85 million full time equivalent positions. In my district there are 1,801 arts related businesses which employ 5,370 employees. Many of these businesses receive grants from the NEA and play crucial roles in increasing tourism in my district. Events like the Monterey Jazz festival and the Cabrillo Music Festival bring tourists to my district to enjoy these cultural experiences, and our local businesses directly benefit from this influx.

I urge all of my colleagues to support increases in funding for the NEA and the NEH and to oppose any proposal to cut these valuable programs.

Mr. MORAN of Virginia. Madam Chairman, let me share with you two recent experiences that confirm why we should support the Slaughter-Shays-Dicks-Leach-Price amendment to increase funding for the National Endowment for the Arts.

A few weeks ago, I had the privilege of joining NEA chairman Dana Gioia at the Folger Theater to help judge young high school students in a poetry recitation contest. As one of the judges, I had to pick a winner, but I can tell you there were no losers. It was plainly evident all were winners. Each student provided a masterful performance, had presence and demonstrated a clear and impassioned understanding of the work he or she presented from some of the English language's best poets.

It was a memorable evening. But as much as I enjoyed it, I know it left an even stronger impression on the student and the families and friends who joined them. That evening at the Folger Theater brought us all to a common point of a shared experience where barriers and pretenses were cast aside and humanity and understanding prevailed.

Last week I had a conversation with a retired school teacher who volunteers as a docent providing school tours at the National Gallery of Art. She was upset because of a decision by the gallery to suspend the volunteer-led tours for a year while a new program is developed. It didn't make sense to me and I agreed to help.

During our talk, she mentioned how art at the gallery had touched a young student she had led. He was a recent immigrant who had come from a very troubled land. His English was limited and broken but he was able to say to her that the tour had helped calm his inner turmoil and as he put it, "helped make some of the hurt go away."

Art touches people in ways words cannot describe. The dividend this Nation receives from the Endowment for the Arts far exceeds the investment we make with the limited Federal funds.

In Virginia, the Wolf Trap Performing Arts Center has received NEA grants for their nationally recognized artistic and education programs. In addition to year-round performances, Wolf Trap offers a variety of education programs both locally and nationwide. Its primary education program, the Wolf Trap Institute for Early Learning Through the Arts, places professional performing artists in preschool classrooms nationwide. In classroom residencies, these artists use drama, music and movement to teach basic skills and encourage active participation and self-esteem in the earliest stages of learning. Wolf Trap Institute Artists also conducts workshops and presentations throughout the country to demonstrate to teachers and parents how the arts can bring new life to learning and literature.

As we fight for education funding and standards, how can we look past the significant contribution that performing arts organizations like Wolf Trap are making across the country? This is a time when we must embrace this type of unique programming.

A modest increase in funding for the arts and humanities can make a difference creating new opportunities for hundreds of arts and humanities organizations and bringing the organizations out into the communities.

When the NEA budget has been cut, we have seen its dramatic effect on the national arts community and specifically on arts education programs developing at community centers and in our schools. Now is the time when we must invest in the cultural lives of our citizens and in our children's futures.

I cannot fathom how a Nation as rich and prosperous as ours could not find it in its heart to provide a \$15 million increase, \$10 million for the National Endowment for the Arts and \$5 million for the National Endowment for the Humanities. We could eliminate all funding for the endowments tomorrow, and the arts and humanities would survive.

That's not the issue.

The grants NEA provides don't make or break most theater productions, studio exhibitions or symphonic performances. What NEA does with its grants is to ensure that these

performances, exhibits and productions are introduced to a greater share of America.

Support the arts, support the NEA and the NEH, support the Slaughter-Shays-Dicks-Leach-Price amendment.

Ms. HERSETH. Madam Chairman, I am pleased that the amendment offered by my esteemed colleagues Ms. SLAUGHTER, Mr. SHAYS, Mr. DICKS, Mr. LEACH, and Mr. PRICE, passed today by a voice vote. The amendment offered on behalf of the Arts Caucus, will increase funding for the National Endowment for the Arts and the National Endowment for the Humanities by \$10 million and \$5 million respectively. I am a strong supporter of the National Endowments for the Arts and Humanities, and I enjoy a strong working relationship with South Dakota's arts community. As a member of the Arts Caucus, I am proud to support our amendment, which represents an important step towards providing these agencies with the funding they need to continue providing critical support for literary, design, performing arts, and cultural projects in South Dakota and across the country.

Another agency that receives funding under this bill is the U.S. Forest Service, which has the vital responsibility to fight fires on our public lands. I recognize the need for wildland fire protection and I strongly believe that Congress must provide Federal land management agencies with the resources they need to protect our public resources from fire, as well as the lives and property of those who live in and near national forests. It was for this reason that I voted in favor of the amendment offered by my colleague, Mr. BEAUPREZ of Colorado, to increase funding for wildland fire protection.

Unfortunately, I strongly disagree with the source of funding that Mr. BEAUPREZ chose to utilize, the National Endowment for the Arts, in order to fund this wildland fire prevention increase. This amendment was soundly defeated on the House floor. I believe this was a function of the offset that the amendment sought to use, and not a lack of support in the House for forest fire prevention. It also is an indication that we must look for other ways to increase funding for wildland fire prevention. I offer to work with my colleagues in the House of Representatives in the coming years to identify ways to fund increased wildland fire funding without raiding the important funds of the NEA to accomplish that goal.

Mrs. MALONEY. Madam Chairman, I rise today in strong support of the Slaughter-Shays-Dicks-Leach-Price Amendment, which would provide a much needed increase in funding for the National Endowment for the Arts and the National Endowment for the Humanities.

This additional \$10 million for the NEA and \$5 million for the NEH would help expose our children to American art, history and culture. In addition to the enjoyment and life-enrichment that each participant in the arts experiences, the involvement of children in the arts has been shown to improve reading and language development, mathematics skills, fundamental cognitive skills, motivation to learn, and social behavior.

The Arts and Humanities not only enhance the lives of our children—they also keep our economy strong. Each year, the nonprofit arts industry creates \$134 billion dollars in economic activity, generating \$24.4 billion dollars in tax revenue for our local, state and federal governments, and supporting nearly 5 million full-time jobs all across our country.

In my district alone, nearly 120,000 people are employed by the museums, theaters, art galleries and other arts organizations that I am proud to represent. In fact, with over 8,000 arts-related organizations, including the Metropolitan Museum of Art, the Museum of Modern Art, and the American Ballet theater, my district has the third highest number of arts-related business in the country. For my constituents, and for all Americans, the arts mean business.

Because such a modest increase in funding would bring the arts and jobs to so many people, I strongly support the Slaughter-Shays-Dicks-Leach amendment, and I urge my colleagues to do the same.

Mr. TAYLOR of North Carolina. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mrs. BIGGERT). The question is on the amendments offered by the gentleman from New York (Ms. SLAUGHTER).

The amendments were agreed to.

Mr. OBEY. Madam Chairman, I move to strike the last word.

Madam Chairman, I do not want to rain on anybody's parade, but in a sense I do. What we have just witnessed here is our annual Kabuki dance on the question of the arts.

In the first years that the Republicans were in control, they wound up making a very large cut in the arts program. I offered an amendment in the Appropriations Committee to restore a portion of that cut and that amendment was adopted. But the majority exercised its power in the Rules Committee and when this bill went to the Rules Committee, the Rules Committee arbitrarily, unilaterally eliminated my amendment which had been adopted by the full committee. But then they proceeded to make the exact same amendment in order with one difference: that amendment was to be offered by a Republican, because the majority party wanted to have the issue both ways. They wanted to be able to tell their right-wing supporters that they had cut the devil out of the arts, yet they wanted to tell what few remaining moderates were left in their caucus that they could go home with a rollcall in their pocket bragging about the fact that a Republican had partially restored some of that funding. That maneuver was enough to give insincerity and hypocrisy a bad name.

And now what we have seen here today is, I hope, not a repetition of what we saw last year. Because last year, as was pointed out, we had an arts funding level which was \$49 million below where it was at its high water mark, \$100 million in real terms after adjusting for inflation below where it had been just a few years earlier.

An amendment was offered, \$10 million. Liberals and progressives argued for it. Conservatives argued against it. The amendment was passed, added \$10 million, everybody got to put out their press releases; and, guess what, when we wound up in conference with the

Senate, 80 percent of the money was stripped out of the bill. So the bill was left with a token \$2 million increase.

I just have one observation. I would hope that if the House wants to demonstrate the slightest bit of sincerity on this issue, that having adopted this amendment, it will stick to it in conference so that something other than a phony Kabuki dance has taken place on the floor this year. I know that is quite a bit to expect given the hypocrisy that often accompanies conferences and given the penchant for so many Members of either body to try to pose for political holy pictures on some of these issues; but nonetheless I would like to express the vain hope that on occasion some sincerity will be displayed on this issue and that if the House adopts an amendment, it really means it.

Mr. FLAKE. Madam Chairman, I move to strike the last word.

I had planned to offer an amendment on this subject, but I will settle for a colloquy with the chairman of the subcommittee.

Before I start, let me just note for the record, I am glad to state to my constituents, I would have voted to cut the National Endowment for the Arts funding and, believe me, want that part of the record.

Madam Chairman, the problem we have in the West is in terms of Federal land. Looking at my own State of Arizona, 48.1 percent Federal ownership. The State of Nevada, 84.5 percent. Utah, 57.4 percent. It is going up. The problem is, it is going up. You try to run a school system in a county where the Federal Government owns 80, sometimes 90 percent, of the land in that county, it is tough to have enough taxable land to do so.

The Federal Government has tried to make up for that by what is called PILT, or payment in lieu of taxes, where they compensate counties with a high incidence of Federal land, but there is less of that than there is Federal land certainly. I would argue here and have argued throughout this appropriation process that we need to cut Federal land acquisition funding. We have successfully done that. The chairman of the subcommittee has been cooperative. We have seen a cut there. The problem is as soon as we get to the Senate, it is negotiated upward once again, so that PILT funding is not nearly what was authorized, and Federal land acquisition, we always get more than what we ask for.

I would just respectfully ask the chairman if he will work within the conference to keep the number for Federal land acquisition as low as possible. I understand that the \$43.1 million, I believe, in the bill now is for land sales that are already in the works. That is understandable. But if we could please insist that that not go up any higher. As we go up and acquire more Federal land, we simply make the problem worse. We exacerbate the problem of PILT funding that is too low and Fed-

eral land acquisition, which is too high.

Mr. TAYLOR of North Carolina. Madam Chairman, will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Madam Chairman, I thank the distinguished gentleman from Arizona for yielding.

I certainly agree that PILT is a necessary funding item. We have added \$30 million to it. I agree with the gentleman that we will make every effort to do so as we move to conference with the Senate. As the gentleman from Wisconsin mentioned a moment ago, when you go to the Senate, you cannot always control what happens. We will certainly stand by our statements to decrease the spending on land if we can manage that, and we will count on the House to support us in that area.

But I do thank the gentleman for calling this to our attention, and we certainly support what he is thinking about.

Mr. FLAKE. I thank the gentleman. There will be an amendment coming up, the Cubin amendment, which will seek to restore a better balance to Federal land acquisition as opposed to PILT funding.

Let me just point on this map again, people point to the red State/blue State issue. The red in this case indicates the percentage of Federal land ownership, or the incidence of Federal land ownership. As my colleagues can see, there is a lot of red out there. We do not need as much red. The more red you have, the more red ink that local governments have. We need to restore this imbalance.

Mr. HINCHEY. Madam Chairman, I move to strike the last word.

Madam Chairman, I rise to engage the chairman of the Interior subcommittee in a colloquy dealing with some language in the committee report requiring the Environmental Protection Agency to fund a national Academy of Sciences study concerning the Hudson River. The language was added to the report unfortunately without the knowledge of those of us who represent the Hudson River area in New York State.

More than a decade has already been spent studying cleanup alternatives for the Hudson River. Therefore, the request for this new study raises concerns. Those of us who live in the region would like clarification as to what the impact of this new study would be. From what I understand, the report language in no way is intended to delay, stop, or otherwise disrupt either phase I or phase II of the PCB cleanup planned for the Hudson River which is slated to begin in the summer of 2006.

Is that the gentleman's understanding as well?

Mr. TAYLOR of North Carolina. Madam Chairman, will the gentleman yield?

Mr. HINCHEY. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. The gentleman is correct. In no way should this study delay or disrupt either phase I or II of the planned cleanup of the Hudson River or any other ongoing Superfund project. I will work with the gentleman to consider modifications to clarify this in the conference agreement.

Mr. HINCHEY. I very much thank the gentleman for his leadership in the committee, and I thank him for his response. There is widespread support for the Hudson River cleanup project, and I know the people I represent will be relieved to hear the chairman clarify that this report will in no way delay phase I or phase II of the Hudson River PCB cleanup. I would suggest that if the study does proceed, it should be focused on new developments and should address the National Academy of Sciences' recommendations.

Mr. TAYLOR of North Carolina. I thank the gentleman from New York for his good work on the Hudson River program and for bringing the need for clarification of the intent of the study to my attention.

Mr. KENNEDY of Minnesota. Madam Chairman, I move to strike the last word.

Madam Chairman, as someone who enjoys recreational activities like fishing, boating and hunting and represents thousands of Minnesotans who do as well, I share a special responsibility to make sure that these opportunities are available for generations to come. Today, many of those activities are threatened by the spread of aquatic invasive species. We have seen a rapid growth of invasive species in recent years, from the Great Lakes, to our coastal waters, to local lakes and streams throughout the country.

In my home State of Minnesota, we have increasingly been challenged to find ways to prevent and control disruptive species like European and Asian carp. In many areas, invasive European carp have found their way into Minnesota's wetlands and lakes, while Asian carp has found its way into the Mississippi River as far north as Iowa. If not properly addressed, both of these species threaten to disrupt the ecosystem that many Minnesotans enjoy for fishing and boating.

One of the few ways in which Federal, State and local governments collectively combat the threat of aquatic invasive species is through the State Aquatic Nuisance Species Management plans. These plans identify activities to eliminate or reduce the environmental, public health and safety risks associated with aquatic invasive species. These activities are implemented by States through feasible, cost-effective management policies undertaken in an environmentally sound manner. These plans are available to both individual States and affected multi-State regions. In fact, currently 14 States have approved plans, and at least 11 other States have plans under development.

Unfortunately, the resources available to effectively implement these

plans fall well short of the mark. This is the third year in a row plans to attack invasive species are funded at slightly over \$1 million. I very much appreciate the work of the chairman and the committee to try to address this very important issue but would suggest that these limited funds are not enough to counteract the billions of dollars in costs associated with invasive species habitat destruction and lost recreational opportunities.

□ 1330

Simply put, we must invest more in these plans if we hope to control the spread of these aquatic pests.

I appreciate the chairman's offering to work with me.

Mr. TAYLOR of North Carolina. Madam Chairman, will the gentleman yield?

Mr. KENNEDY of Minnesota. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Madam Chairman, I thank the gentleman for yielding to me.

I agree with the gentleman that invasive species pose a threat to the marine environment, and we do provide funds in the bill reported by the Committee to address the Invasive Species Act. We have also provided other invasive species funds to stop that in areas of timber and things coming in from imports. For instance, the hemlock wooly adelgid is one of the invasive species that are threatening one of our species and may wipe it out in plant area.

But the gentleman is right, and I will work with him to see if we can increase funding in this area in the conference report. I note there are some small increases included in the bill for invasive species efforts by the Fish and Wildlife Service also. So we will try to work with him to increase his request.

Mr. KENNEDY of Minnesota. Madam Chairman, reclaiming my time, I would like to thank the chairman for his commitment and look forward to working with him to have more resources for this vitally important need in the conference report.

Ms. LEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of the arts amendment, however, in strong opposition to this bill's environmental shortcomings.

First, I want to applaud the gentleman from New York (Ms. SLAUGHTER) and the gentleman from Connecticut (Mr. SHAYS), who are the co-chairs of our Arts Caucus, and their staffs for their leadership on this issue.

Providing for adequate resources to the National Endowment for the Humanities, which is the largest single funder of humanities programs in our country, and to the National Endowment for the Arts, the infrastructure for private nonprofit and federal arts initiatives, this should really be a very high priority for this body.

Mr. Chairman, my district, the Ninth Congressional District of California,

ranks 24th in the country in the number of arts businesses and 46th in the country in the number of arts employees. Since we debated this amendment last year, there are 113 more arts-related businesses in my district, and that translates into more jobs for my constituents. Across the country there are more than 578,000 arts-centered businesses. This is really not a marginal group. The arts and humanities do constitute the pulse of our Nation.

Supporting this amendment is critical and should be noncontroversial. We already know that the economic downturn and our budget crisis are crippling arts initiatives all over this country. Many who are eager to restrict funding for the NEA and NEH forget that organizations which receive grants for these institutions include the museums, performing and visual arts, film, radio, television, design, publishing, and educational facilities in all of our districts.

In Oakland, one of the cities in my district, most arts education programs continue to face extinction, and the students in these communities are the ones who stand to benefit the most from arts education initiatives.

Performance and visual arts offer people of all ages, ethnic and social and economic backgrounds opportunities for new experiences and constructive retreats. For example, the Berkeley-based California Shakespeare Theater, an arts education grants recipient, will offer student matinees and Arts Integration programs this year, which support student achievement and creativity and teacher professional development for some of the most underserved communities in my district.

Clearly, a vote against this amendment, which is endorsed by our bipartisan Arts Caucus, is really a vote against the vital thread which sustains the pulse of our country. The long-term economic and social impact of a minute \$10 million increase for the NEA and a \$5 million increase for the NEH will be felt for generations. It is the very least we can do to promote and preserve American culture and heritage. It should not be controversial. The facts speak for themselves. If we cut arts funding, we cut jobs and opportunities for all. We all need to support the Arts Caucus bipartisan amendment.

I am appalled, however, by what this bill proposes to do to America's environment. Once more we are forced to vote on an Interior appropriations bill that is nothing less than an environmental disaster. This bill cuts funding for the EPA by \$318 million. This bill cuts \$241 million for the Clean Water State Revolving Fund, which is a 37 percent reduction for California. This bill eliminates \$190 million for the Land and Water Conservation Fund. And this bill fails to make critical infrastructure investments in our National Parks System.

Overall, this bill represents a 3 percent cut in funding for our environ-

mental programs and once again points to the misplaced priorities of this administration.

We need a bill that makes a strong commitment to protect the environment, our children's health, and our future. Unfortunately, this bill does not make that commitment.

AMENDMENT OFFERED BY MRS. CUBIN

Mrs. CUBIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. CUBIN:

Page 44, line 25, after the dollar amount, insert the following: "(reduced by \$13,000,000)".

Page 45, line 16, after the first dollar amount, insert the following: "(increased by \$12,000,000)".

Mrs. CUBIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN (Mr. SHIMKUS). Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Mrs. CUBIN. Mr. Chairman, as the Members know, the Payments in Lieu of Taxes program, or PILT as it is called, compensates units of general government for property taxes that they otherwise lose due to Federal ownership of the land within that locality. Our local counties then use these dollars to help fund essential services such as law enforcement, health care, education, firefighting, and search and rescue.

Unfortunately, despite the local benefits to this program in all 50 States, a large majority of the congressional districts' full funding of PILT, as is authorized by law, is simply not a commitment that this Congress has been willing to meet in the past years. My home State of Wyoming has been denied over \$75 million in PILT funding over the past 10 years that would have been used to make our communities safer, healthier, and cleaner.

I truly appreciate the efforts of the gentleman from North Carolina (Chairman TAYLOR) and the gentleman from Washington (Mr. DICKS), ranking member, to restore the PILT funding that the administration tried to cut. They even went a step further to show their support of PILT and added an additional \$3 million over last year's level. However, this level funding still falls far short of the authorized level and it simply is not enough for these communities.

The Cubin-Rahall-Cannon-Udall amendment would add \$12 million to PILT by redirecting funds from the Department of Interior's management, salaries, and expenses at the higher levels. Our amendment still does not bring PILT to full funding, but it would reflect a renewed commitment of Congress to do so by providing approximately 80 percent of the authorized level for this year's funding.

It is also important to emphasize that this amendment still allows the

Department of Interior to spend \$10 million more for administrative costs than they did in 2005. We are not cutting salaries. We are simply reducing the \$23 million increase that they would receive under this bill and instead directing a portion of those funds back to local counties where every dollar will make a real difference on the ground where people live and where they work.

So I would like to thank the gentleman from Utah (Mr. CANNON), the gentleman from West Virginia (Mr. RAHALL), and the gentleman from Colorado (Mr. UDALL) for co-sponsoring this amendment, as well as the National Association of Counties, the gentleman from Arizona (Mr. FLAKE), and other members of the Western Caucus for the leadership that they have shown on this issue. It is very important to every single State in the country. Short-changing local communities by underfunding PILT is simply bad policy, and I hope my colleagues will join me in supporting this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I certainly sympathize with the gentlewoman and other Members who have already spoken. I support PILT. In fact, we increased it some \$30 million in our bill. And as we indicated with the gentleman from Arizona (Mr. FLAKE) a few minutes ago, we will certainly do more and we appreciate their bringing it to our attention.

But the Department of Interior is responsible for one-fifth of the land in the United States and manages programs that affect over 4 million Native Americans. This amendment would eliminate 110 staff positions and drastically impact the management of numerous important programs, including the management of PILT, the very program that this amendment is intended to help. The PILT program is managed using staff from the Department Management account.

The Interior bill is a balanced bill. In developing this bill, The Committee made a number of difficult choices. If we had additional resources, I believe PILT would be a deserving program and I certainly would try to increase it. But I urge my colleagues to defeat this amendment.

Mr. Chairman, I ask unanimous consent that further debate on this amendment, and any amendments thereto, be limited to 10 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mrs. CUBIN. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. UDALL). (Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Chairman, I rise with my colleague from Wy-

oming and a number of other colleagues from the West and from the East in support of this bipartisan amendment offered by the gentlewoman from Wyoming (Mrs. CUBIN).

The amendment would increase funding for the Payments in Lieu of Taxes, or PILT program, by \$12 million. The result would be to bring the bill total for PILT to about 80 percent of the authorized amount. That would not be enough, in my opinion, but it would be a definite improvement.

PILT payments go to every State except Rhode Island, as well as to the District of Columbia, Guam, Puerto Rico, and the Virgin Islands, as we see on the map here. So PILT is a nationwide program, this amendment is important for local governments across the country. But it is particularly important for Western States because we have the largest amounts of public lands, again as we can see on the map. PILT payments help local governments pay for vital services like firefighting and police protection, construction of public schools and roads, and search and rescue operations. So it should be something local governments can count on without becoming hostage to debates over the management of Federal lands.

But as things stand now, PILT is neither stable nor dependable because the amount of each year's payments is decided by annual appropriations. We were reminded about that when the President's budget proposed a \$26 million cut in PILT. This would have been devastating for Colorado. So I am glad the Committee on Appropriations rejected this idea, and I applaud them for including \$230 million in the bill for PILT. However, that is still less than the full authorized amount.

That is why I support this amendment and that is why I urge the House to adopt it to bring us closer to full funding.

If I can conclude, the gentlewoman of Wyoming mentioned that it is unnecessary to continue debating PILT every year as a part of the appropriations process. She has a bill that would phase in full funding for PILT over 3 years. I have also introduced a bill with the gentleman from Colorado (Mr. SALAZAR) that would provide permanent automatic funding, and I hope the Committee on Resources will take this up in the near future.

But in the meantime we should pass this very bipartisan amendment, which will help counties all over our great country.

Mrs. CUBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. CANNON).

Mr. CANNON. Mr. Chairman, I thank the gentlewoman from Wyoming for yielding me this time.

I would also like to begin by thanking the people who have worked so hard on this bill, especially the gentleman from North Carolina (Mr. TAYLOR), who has been very thoughtful about the Payments in Lieu of Taxes

issue and has worked well with us in the past. We are committed to getting full funding for PILT because the counties in rural America and areas where they are dominated by the Federal Government need that kind of support.

I have a map beside me here which is similar to the map the gentleman from Colorado (Mr. UDALL) had just a moment ago, although we did it in red because we want to represent the statement, so we can see the meaning of a statement that was made by President Ronald Reagan in 1988. He said: "I have a map. I wish everyone could see it. It's a map of the United States. And land owned by the government is in red, and the rest of the map is white. West of the Mississippi River, your first glance at the map, you would think the whole thing is red the government owns so much property."

□ 1345

The government owns so much property. I do not know any place other than the Soviet Union where the government owns more land than ours does.

We have a problem. The Federal Government owns the bulk of the West. Half of California is owned by the Federal Government. Two-thirds of most of the other States in the West are owned by the Federal Government. That means we do not tax those lands, and that means that in the western United States, we pay less per child per education, but we tax our people more per family, because we are supporting the Federal Government in this environment. It is only fair that we pay a reasonable amount in lieu of taxes to cover that shortfall.

So I urge my colleagues to support this amendment to add a modest sum to the PILT, but a sum that is very, very important to the American people, those who live in these public land areas, and those who enjoy them from the rest of the country.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield the balance of my time to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I rise in reluctant opposition to this amendment, and I yield myself such time as I may consume.

While I agree that our counties would wisely use increased PILT payments, I think that this bill provides the proper funding for PILT, considering the very tight allocation the subcommittee was given. Like many of my colleagues who represent districts with large amounts of Federal lands not part of the tax base, I understand the difficulties our communities face. That is why I have always strongly supported PILT. But I believe that the \$3 million increase that PILT receives in this bill compared to 2005 should be defended, considering the many other programs facing cuts.

In a healthier budget climate, I would gladly support funding PILT at an amount higher than the \$230 million

contained in this bill. Unfortunately, we are facing a much bleaker budget reality.

Again, I urge a "no" vote on the amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. CUBIN. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I thank the gentlewoman from Wyoming for yielding me this time.

Mr. Chairman, I rise in support of the pending amendment, and I commend the gentlewoman from Wyoming for her leadership on this issue, as well as the gentleman from Colorado (Mr. UDALL) and the gentleman from Utah (Mr. CANNON). It is always a pleasure for me to team up with these distinguished colleagues, and especially my friend from Wyoming (Mrs. CUBIN), on natural resource issues of importance to both of our States. It is true that we are sometimes at odds with each other, that is never a pleasant experience, but when we do see eye to eye, we can make some inroads.

Today I find myself the token easterner on the bipartisan Cubin-Rahall-Cannon-Udall amendment to restore a portion of authorized funding for the PILT program. I chose to sponsor this amendment to make a point. PILT is as important in the east as it is to the west.

West Virginia, for instance, is heavily forested and 919,000 acres are federally owned with the Monongahela National Forest. PILT payments are extremely important to the forest counties, helping them to provide essential services to the public.

This amendment is about keeping faith with our units of local government who are already being strained to the limit.

Under the PILT program, the deal is that the Federal Government will compensate these localities for the loss of local tax revenues from Federal lands.

I urge support for the amendment.

Mrs. CUBIN. How much time do I have remaining, Mr. Chairman?

The Acting CHAIRMAN (Mr. SHIMKUS). The gentlewoman from Wyoming (Mrs. CUBIN) has 30 seconds remaining.

Mrs. CUBIN. Mr. Chairman, I yield 30 seconds to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, let me just read this statement. It seems the Washington Post has some sympathy for this: "The Federal Government is the largest landowner in Washington. Since the land cannot be taxed, the Federal Government is the principal contributor to the district's chronic fiscal imbalance."

Now, if the Federal Government owns a lot of land in the District of Columbia, believe me, Arizona, Utah, Nevada, California, Colorado, we ought to really be hurting, because the incidence of Federal land is so much higher there.

The President had initially more than \$200 million for Federal land ac-

quisition. It has been cut by the chairman down to \$43 million. It is still too much, and particularly when PILT is underfunded.

Mr. SALAZAR. Mr. Chairman, I rise today to speak in favor of the Cubin-Rahall-Cannon-Udall Amendment. In 1976, Congress passed the Payment in Lieu of Taxes Act in an effort to compensate counties for the loss of property tax revenue that comes with having large tracts of Federal lands within their jurisdiction. These important funds help local governments meet the needs for schools, road construction and other infrastructure projects for their residents.

In my district alone, there are over 17 million acres of land eligible for PILT payments; accounting for \$11 million in Fiscal Year 2004. In the recent past, Congress has failed to fund PILT to its authorized level, leaving local governments with the burden of answering painful budget decisions. We have seen a great discrepancy between authorized funding levels and the appropriated amounts. In FY 2004, PILT was funded to only 67 percent of its authorized level; falling over \$100 million dollars short of what the Bureau of Land Management found to be the authorized level.

Mr. Chairman, this amendment will get us closer to reaching the goal of 100 percent PILT appropriation. If adopted, this Congress will fund PILT to its highest level in a decade. The bipartisan PILT Amendment would add \$12 billion to PILT by redirecting funds from Interior Department overhead. This will help local governments by providing approximately 80 percent of the authorized level for PILT while still allowing the Interior Department to spend \$10 million more for administrative costs than in fiscal year 2005. We will provide small rural counties with the resources necessary to provide basic services to their residents.

This Congress owes it to Rural America to fully fund PILT. I ask my colleagues to support the Cubin-Rahall-Cannon-Udall Amendment to the Interior Appropriations bill.

SUMMARY BY COUNTY OF PILT PAYMENTS—COLORADO'S
3RD CONGRESSIONAL DISTRICT
[Fiscal Year 2004]

County	Payment (dollars)	Total Acres
Alamosa County	\$103,015.00	77,592
Archuleta County	522,307.00	440,797
Conejos County	556,046.00	498,778
Costilla County	1,219.00	887
Custer County	224,555.00	174,173
Delta County	166,250.00	405,624
Dolores County	80,946.00	422,281
Garfield County	1,170,205.00	1,188,113
Gunnison County	311,753.00	1,636,328
Hinsdale County	72,758.00	676,515
Huerfano County	180,690.00	214,966
Jackson County	97,816.00	515,761
La Plata County	536,066.00	434,015
Las Animas County	409,384.00	316,559
Mesa County	1,606,962.00	1,563,639
Mineral County	80,427.00	524,299
Moffat County	317,051.00	1,671,738
Montezuma County	413,306.00	471,828
Montrose County	1,248,681.00	974,793
Otero County	240,480.00	181,265
Ouray County	206,790.00	157,387
Pitkin County	581,980.00	562,074
Pueblo County	86,047.00	63,174
Rio Blanco County	284,122.00	1,498,114
Rio Grande County	410,184.00	334,630
Routt County	462,772.00	665,854
Saguache County	362,613.00	1,292,699
San Juan County	40,653.00	214,353
San Miguel County	297,888.00	485,909
District Total	11,072,966.00	17,664,145

Mr. MATHESON. Mr. Chairman, I rise today in support of this bipartisan amendment, which would benefit counties and local governments in 49 States.

The Federal Government makes PILT payments to counties that have Federal lands to make up for the revenue local governments lose because they cannot collect property taxes on the Federal lands within their borders. Congress has chosen to underfund these PILT payments—leaving local governments in nearly every State with less funding for education, law enforcement, firefighting, search-and-rescue, and other services. In my congressional district alone, localities have lost over 48 million dollars in PILT funding because of inadequate appropriations by Congress over the last ten years.

The bipartisan amendment we are discussing today would bring the Federal Government's payments for PILT a bit closer to the authorized funding level, helping local governments in 49 States.

I encourage you to vote for this bipartisan amendment, which is a key step toward meeting Congress' commitment to our local governments.

Mr. OTTER. Mr. Chairman, I rise to strike the required word.

One of the greatest responsibilities of representing Idaho in Congress is convincing Members who represent other States—particularly those east of the Mississippi River—why some issues matter to us so much.

High among those issues is our unique relationship with our biggest landlord. Almost two-thirds of Idaho is federally owned, and therefore exempt from local property taxes that pay for everything from our children's schools to police and fire protection.

Picking up our Uncle Sam's slack means in the West we each pay higher property taxes and our counties are forced to make tough choices about essential public services. Counties in Idaho were shorted \$75.5 million from 1995 through 2004 alone. That burden is heaviest where it can least be borne, in more rural counties with relatively small tax bases.

Since almost all the land in the East is private, States there have no such concerns. Many Members of Congress from the East, care little about how tax-exempt Federal land hurts folks in Idaho. They just don't get it.

I am extremely disappointed at the Administration's FY 06 PILT request of \$200 million—a \$26.8 million reduction from the FY 05 payment. PILT was funded at \$200 million back in 2001 and is clearly a step backward in a commitment to compensate counties for financial burdens imposed on them through an overwhelming Federal presence.

There's no getting around the need for some of the basic services that property taxes provide on the local level, but there's no excuse for having to pay extra for the 'honor' of having so much nontaxable Federal land in our counties. The Federal Government has been a deadbeat landlord long enough.

I am very concerned that over the past ten years, the PILT program has been funded at an annual average of \$155 million, while over the same time period, Federal land acquisition funding has averaged more than \$347 million. Why are we buying more land when we can't make good on the commitments for the land we already have?

I applaud Chairman TAYLOR for trying to address this problem and recognize the constraints he has to work within. Mr. TAYLOR I commend you for recognizing the importance of this program and for increasing PILT up to \$230 million while at the same time reducing land acquisitions to roughly \$40 million.

However, I think we need to go further and zero out all land acquisitions until PILT is fully funded and the Federal Government can actually manage the land under its ownership. I would encourage everyone to vote for the Cubin, Rahall, Udall, Cannon amendment and give what is due to our rural communities.

Ms. HERSETH. Mr. Chairman, I strongly support the Cubin-Rahall-Udall amendment that seeks to increase funding to the Payment in Lieu of Taxes (PILT) program by \$12 million. This would increase PILT payments to local government by redirecting funds from Interior Department administrative and overhead accounts. This amendment would bring the Federal Government's payments for PILT closer to the authorized funding level, helping local governments in 49 States, while still allowing the Interior Department to spend \$10 million more for administrative costs than in fiscal year 2005. Had the House of Representatives held a recorded vote on this amendment, I would have voted to support it. As it is, the propriety of this amendment was so clear to my colleagues and me that no Member of the House of Representatives sought a recorded vote on this issue and it passed by voice vote.

Along with Interior Appropriations Subcommittee Chairman TAYLOR of North Carolina, I oppose the amendment by Mr. HEFLEY of Colorado that pertains to PILT funding. As I mentioned above, I strongly support increased PILT funding, but I am opposed to the offset that Mr. HEFLEY would use to pay for his amendment. He would pay for those increased PILT funds by reducing the allocation for the National Endowment for the Arts by \$15 million. The Cubin-Rahall-Cannon-Udall uses a much preferable offset and that is why I voted to oppose the Hefley Amendment and why I voice my strong support for the Cubin-Rahall-Cannon-Udall Amendment.

The Acting CHAIRMAN. The gentleman from Washington (Mr. DICKS) still has 4 minutes remaining.

Mr. DICKS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Wyoming (Mrs. CUBIN).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-6907), \$230,000,000, of which not to exceed \$400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEFLEY:

Page 45, line 16, after the first dollar amount, insert the following: "(increased by \$4,800,000)".

Page 106, line 9, after the dollar amount, insert the following: "(reduced by \$15,000,000)".

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that the debate on this amendment and any amendments thereto be limited to

10 minutes to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

This amendment cuts \$15 million from the account of the National Endowment for the Arts and applies \$4.8 million to the payments in lieu of taxes account. What I wanted to do is make that equal; but it was subject to a point of order, so this is what we came up with. It would reduce the NEA account to about the level at which it had been funded for about a decade, while bringing PILT just a little bit closer to its \$340 million authorization level.

Now, I want my colleagues to know that this is not an NEA-bashing amendment. The NEA I think has considerably cleaned up its act since the days of Mappelthorpe and Serrano, and the Challenge America grants program has helped return the NEA to educational outreach, the thing that it did with some success at its founding.

No, this amendment is an acknowledgment, and we have been hearing a lot about it this afternoon, but this is an acknowledgment of the need for the PILT program.

People have often said to me, you are so lucky to live in the West with all of the open space and all the public land, and I do consider myself lucky because of that. But people who do not live in the public land States do not realize sometimes that these public lands and all that open space comes at a cost. My colleagues saw the gentleman from Utah's (Mr. CANNON) map up here with the red and so forth showing the public lands. East of the Mississippi, there are a few red spots scattered around. West of the Mississippi, it is almost solid red. The West is essentially owned by the government.

For every acre under public ownership, western counties and municipalities lose part of their tax base. In Colorado, this amounts to almost 30 percent of the State's acreage. Of course, we heard earlier, this pales to the about 85 percent of the States' acreage in Nevada that is under Federal control. We have one county in Colorado, Hinsdale County, that is close to 98 percent public land. You have Lake City, the county seat, you have a mountain, and then you have the rest of Hinsdale County; and almost all of it is owned by the government. So services, as you can imagine, are limited.

Services mean fire and police and schools and health care and all kinds of things.

There are other more direct costs too. Due to Federal underfunding of its own land, local municipalities are often asked to bear the cost of road maintenance and police coverage for those areas. All of this, while operating under the diminished tax base that I mentioned earlier.

So I have always supported full funding of PILT, and I know we cannot get there this year. I do appreciate the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Washington (Mr. DICKS) for what they have done for PILT in this bill. They have moved it forward somewhat. But since we have all this land, I think we should give us the funds we need to help take care of it.

Mr. Chairman, I urge passage of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) is recognized for 5 minutes in opposition to the amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in opposition to this amendment, recognizing the very serious problems that its proponent seeks to address. But it would be very unwise to cut the budget of the NEA, especially after we succeeded in adding a little money back to it, because the NEA is simply doing a fantastic job now of strengthening public arts education, of strengthening arts institutions, and of helping arts institutions to market themselves and strengthen the economies of not only our inner cities, but small, rural communities. So in Connecticut, the NEA, in conjunction with the Connecticut Commission on the Arts, has really helped us develop the itineraries that we needed to attract tourism to the small towns with arts institutions or performing groups where the agricultural economy is failing.

In our schools, the HOT schools, (the Higher Order of Thinking schools), have been supported by the NEA, and have helped children understand that not only thinking is a powerful process, but original thinking is an extraordinary process children can possess and use to grow in mind and spirit, as well as technical capability.

In 139 of Connecticut's schools, they are using the NEA's Shakespeare in American Communities, a free educational kit that really helps kids grasp the power of Shakespeare. Who better can teach children about the horrendous power of greed to do evil and the tremendous opportunity of love to do good.

So the arts are extremely important to the spiritual strength of this Nation, the strength of its economy, and the health and well-being of our children, for the arts provide the power to aspire to new heights of greatness in each of us.

So I must oppose this amendment, because it drains resources from the National Endowment for the Arts.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

I think it is interesting that the gentlewoman is from Connecticut. If my colleagues remember that map, public lands are insignificant in Connecticut by comparison with States in the west where we have up to 85 or 90 percent of the land owned by the government.

I said at the outset that this is not an NEA-bashing amendment. The NEA does many good things; but we only have so much money, and the committee knows that is the case. They are the ones that had to struggle with the allocation they got and they had to make tough, tough choices. When you have to make choices, I think you need to ask yourself the question, NEA, as good as it is in some areas, is it better than having the funds to educate your children in many of those western States? Is it better than having the funds to provide fire protection, to provide police protection, to take care of those public lands that are out there? Which is better? We have to weigh it and balance it.

The gentleman from Washington (Mr. DICKS) said a while ago that he thought they had a pretty good balance. I think that if you are making these choices, the balance needs to lean a little bit more to the PILT.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

The amendment increases payments in lieu of taxes \$4.8 million and reduces the National Endowment for the Arts by \$15 million. This Interior bill is a balanced bill. In developing this bill, the committee made a number of difficult choices. If we had additional resources, I believe PILT would be a deserving program, as we have said over and over again here today. But to unbalance this bill at this time, I must rise in opposition. I encourage my colleagues to do the same thing.

Mr. Chairman, I yield back the balance of my time.

Mr. HEFLEY. Mr. Chairman, I would just encourage an "aye" vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

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Mr. SWEENEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the chairman of the Interior Subcommittee in a colloquy dealing with

some language in the committee report requiring the EPA to fund a National Academy of Science study.

Mr. Chairman, we have already heard that there is language requiring such a study to determine the effectiveness and cost of a large dredging operation of hazardous waste sites, many of which are contaminated with PCBs.

I would point out that our colleague, the gentleman from New York (Mr. HINCHEY), who engaged in a colloquy a little earlier, stated that there was strong support for this project. Well, this is a project that has been debated for 20 years. In some ways that is an overstatement of that support.

I represent the affected area, and in fact it has been an extremely difficult process for my constituents. However, we all agree that further delay of the project is in no one's best interest. As you have already clarified, the report language, Mr. Chairman, in no way is intended to delay, stop or otherwise disrupt the cleanup planned for the Hudson River slated to begin in the summer of 2006.

Further, the EPA has reviewed the language and found no provision that would require them to disrupt the Hudson River project in any way. Is that your understanding, Mr. Chairman?

Mr. TAYLOR of North Carolina. The gentleman is correct. In no way should this study delay or disrupt either phase 1 or 2 of the planned cleanup of the Hudson River, any other ongoing Superfund site, And I know of no party involved that wishes that delay.

I will work with the gentleman to consider whether modifications to the language are needed to further clarify this point.

Mr. SWEENEY. Mr. Chairman, I thank you for that kind offer and clarification. Let me just say that it has long been my position that we should not debate past decisions no the Hudson River but look to the future in the region and focus on protecting those communities most directly affected by the cleanup project.

What has been consistently overlooked is the fact that dredging will have a heavy impact on people's everyday lives. This is especially true for the residents of Fort Edward, New York, who will be hosting the dewatering site in their community.

As the representative of that area, I want to continue to strive to uphold their interests and remind others that we are talking about real people and real neighborhoods, and not just political points for some special interest groups.

For that reason, I want to thank you for a separate report language provision which was inserted at my request to address the burden the Hudson River cleanup project is placing on the people of Fort Edwards and reiterate my concern that the EPA do all it can to provide assistance to the town.

It is my hope that we can jointly work towards that end and meet that important goal as the appropriation process continues.

Mr. TAYLOR of North Carolina. I thank the gentleman from New York (Mr. SWEENEY) for his good work on the Hudson River cleanup and for bringing the need for clarification of the intent of the study to my attention. I like forward to working with the gentleman and learning more about Port Edwards' needs.

Mr. FARR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage in a brief colloquy, if you will, on the subject of the proposed USGS laboratory in Santa Cruz, California.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. FARR. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would be happy to discuss this matter with the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, as the chairman is aware, I have raised concerns about the plans to build a new USGS laboratory in Santa Cruz. Actually I am thrilled to have USGS moving into my district, but the USGS will benefit greatly from the synergy of other local marine science facilities in the area, including the University of California's Long Marine Lab and the United States Government's National Marine Fisheries Service Lab.

With USGS collocated near these other facilities, I believe the United States will have the best marine science information anywhere. But in the development of the plans for the lab, we run into contradictory budget numbers and laboratory configurations that have dogged final approval for getting this project off the ground, and it has really been a problem. And I appreciate your consideration of being willing to work with me to facilitate the meeting of the principals involved in this project and resolve some of these questions once and for all.

Mr. TAYLOR of North Carolina. I understand the gentleman's concern over this issue, and appreciate his desire to see the facility built. I would be pleased to assist in a meeting with the gentleman and agency officials on this matter.

I thank the gentleman for his commitment to this issue.

Ms. BORDALLO. Mr. Chairman, I move to strike the last work for the purpose of entering into a colloquy with the gentleman from North Carolina (Chairman TAYLOR) regarding urgent construction and maintenance needs for the War in the Pacific National Historically Park in Guam.

Mr. Chairman, my district, Guam, is home to a unique national park. The War in the Pacific National Historical Park was established by an act of Congress in 1978. It is the only site in the National Park System that honors the bravery and sacrifices of all of those who participated in the Pacific theater of World War II.

Among the seven units of park and its features is a memorial wall at the

Asan Bay Overlook as that preserves and honors for perpetuity the 1,642 names of Chamorro and American casualties who suffered or died during the war in Guam.

The memorial wall was authorized by an act of Congress in 1993 and today is in dire need of repair and restoration. Mr. Chairman, my home island of Guam, as many of my colleagues know, is vulnerable to tropical intense weather conditions.

In December of 2003, one of the most powerful typhoons to ever strike hit Guam with over 200-mile per hour wind gusts. Many elements of the park were casualties of this storm. In the aftermath of Super Typhoon Pongsona, the service was forced to close the Park Visitors Center, which had been leased for several years and which has not yet been reopened or replaced. The memorial wall, in particular, has suffered since it was originally constructed and has deteriorated to unacceptable conditions.

We are now commemorating the 60th anniversary of the War in the Pacific, and the need to repair and restore this memorial wall deserves the support of the service and this Congress. Of a more long term but just as deserving a need is the construction of an appropriate contact facility for the park to provide for the visitor experience and the interpretation of the war.

Mr. Chairman, I am extremely disappointed that the service's budget request failed again this year to adequately take into account these needs. It is my hope that these projects, particularly the memorial wall, will receive greater attention and higher priority from the service as they allocate discretionary funds in fiscal year 2006 as they prepare the fiscal year 2007 and future budget requests.

I would appreciate the help of the gentleman from North Carolina (Chairman TAYLOR) and the gentleman from Washington (Mr. DICKS) in ensuring that the service budgets appropriately for the needs of the War in the Pacific National Historic Park.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentlewoman yield?

Ms. BORDALLO. I yield to the distinguished gentleman from North Carolina.

Mr. TAYLOR of North Carolina. I thank the gentlewoman from Guam (Ms. BORDALLO) for raising the budget issues. The committee recognizes the uniqueness and development needs of the War in the Pacific National Historical Park in Guam.

We will work with the National Park Service to remedy this situation. I thank the gentlewoman for her efforts and look forward to continuing to work with her on this matter in the future.

Ms. BORDALLO. Mr. Chairman, I thank the gentleman for his commitment to the National Park Service and for his comments and concerns regarding the War in the Pacific National Historical Park in Guam. I look forward to continuing to work with the

gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Washington (Mr. DICKS) to address this serious situation.

The Acting CHAIRMAN (Mr. SHIMKUS). The Clerk will read.

The Clerk read as follows:

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), \$9,855,000, to remain available until expended: *Provided*, That, notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account, to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$55,340,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$39,566,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$191,593,000, to remain available until expended, of which not to exceed \$58,000,000 from this or any other Act, shall be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Departmental Management, "Salaries and Expenses" account: *Provided further*, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2006, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$1.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in

each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed \$50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with re-determining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, \$34,514,000, to remain available until expended, and which may be transferred to the Bureau of Indian Affairs and Departmental Management accounts: *Provided*, That funds provided under this heading may be expended pursuant to the authorities contained in the provisos under the heading "Office of Special Trustee for American Indians, Indian Land Consolidation" of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106-291).

NATURAL RESOURCES DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380) (33 U.S.C. 2701 et seq.), and Public Law 101-337, as amended (16 U.S.C. 1911 et seq.), \$6,106,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further*, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund: *Provided further*, That the annual budget justification for Departmental Management shall describe estimated Working Capital Fund charges to bureaus and offices, including the methodology on which charges are based: *Provided further*, That departures from the Working Capital Fund estimates contained in the Departmental Management budget justification shall be presented to the Committees on Appropriations for approval: *Provided further*, That the Secretary shall provide a semi-annual report to the Committees on Appropriations on reimbursable support agreements between the Office of the Secretary and the National Business Center and the bureaus and offices of the Department, including the amounts billed pursuant to such agreements.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency

reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within 30 days, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 104. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico

south of 26 degrees north latitude and east of 86 degrees west longitude.

AMENDMENTS OFFERED BY MR. PETERSON OF PENNSYLVANIA

Mr. PETERSON of Pennsylvania. Mr. Chairman, I offer amendments, and I ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. PETERSON of Pennsylvania:

Page 53, line 12, insert "oil" after "offshore".

Page 53, line 20, strike "and natural gas".

Page 54, line 3, strike "and natural gas".

The Acting CHAIRMAN. Is there objection to the consideration of the amendments en bloc?

There was no objection.

The Acting CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. PETERSON) for 5 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 20 minutes, 10 minutes to the proponent and 10 minutes to an opponent, myself.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment will remove the words "natural gas" from the moratorium that has been in every Interior bill, I am told, for 20 some years, unbeknownst to many Members of this Congress, that prohibits the Department of Interior from leasing or subleasing lands on the Outer Continental Shelf, our greatest reserve for natural gas.

The number one economic challenge facing America was not addressed in our energy bill, in my view and the view of many, because we did not adequately deal with the clean fuel, the fuel that has no NO_x, no SO_x, the least CO₂, the clean-burning fuel, natural gas, that can be our bridge to the future.

It is threatening home ownership, folks. 76 percent increase in oil prices, 176 percent increase in natural gas prices. Here is what one of our leading employer group says: America has a new energy crisis. This time it is the runaway price of natural gas.

Congress must act now to ease the natural gas crisis of this Nation's fragile economic recovery, or it will return to recession. Every recession since World War II has been preceded by a run-up in energy prices and none of the run-up in prices have equaled the run-up in natural gas prices.

It is threatening small business. It is the fastest increase in the cost of education. It is the fastest increase in the cost of our hospital health care. It is the greatest threat to our farm community with exploding fertilizer costs. And because fertilizer factories use so much natural gas, 21 of them have quit

making fertilizer in America, and all of them are looking offshore to produce fertilizer. Ninety thousand chemical jobs, some of the best paying jobs in the industrial sector we have left. Polymers and plastics are all looking to move offshore.

The production of natural gas on the Outer Continental Shelf is not looked at as an environmental threat by Canada, they sell us gas that they produce, the UK, Norway, Australia, New Zealand, all countries with environmental records. Eighty-five percent of our gas reserves are locked up by moratorium.

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Why? It is the clean fuel. As I said before, no docks, CO₂ one-fourth as much. It is the bridge to hydrogen. It could be bridging us in the transportation field like school buses, transportation systems, taxicabs, delivery trucks, easily changeable to natural gas if it was affordable and we had adequate supply.

Natural gas is 25 percent of our energy use today. If we had an adequate supply, it could be the friendly bridge, the environmentally friendly bridge, to lead us to hydrogen, give us time for stronger conservation measures, growing use of renewables and less dependence on oil today.

A gas well is not an environmental threat. It is a 6-inch hole that is cemented at the top and cemented at the bottom with a steel casing, and it lets gas out. Canada produces in our Great Lakes and sells the gas to us with no environmental impact.

When we look at this map, and this is my concluding comment, the natural gas and oil, when we buy \$50 oil, the whole world buys \$50 oil; but in natural gas we are at \$7. Europe is at \$5-something. Japan and China are 4-something, and then we look at a dollar, 90 cents in Russia. Where are industries going to grow? They are not going to grow here.

This is the most important amendment we will consider, in my view, in this part of Congress. Natural gas is a tragedy happening, and we can stop it by lifting the moratorium.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield my 10 minutes to the gentleman from Florida (Mr. YOUNG) and ask unanimous consent that he control the 10 minutes of time.

The Acting CHAIRMAN (Mr. SHIMKUS). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DICKS. Mr. Chairman, I would like to have some time on this side, if we could have 5 minutes of the 10 minutes, if we could work that out.

Mr. YOUNG of Florida. Mr. Chairman, is the gentleman in opposition to this amendment?

Mr. DICKS. Yes, I am in opposition.

Mr. YOUNG of Florida. Mr. Chairman, we appreciate that. We have only

a total of 10 minutes to state our opposition. So how about 4 minutes?

Mr. DICKS. Four minutes would be fine.

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from Washington (Mr. DICKS) for the purposes of control.

The Acting CHAIRMAN. Without objection, the gentleman from Washington (Mr. DICKS) will control 4 minutes.

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 3 minutes, and despite the eloquence of the gentleman from Pennsylvania (Mr. PETERSON), my friend, who makes this amendment sound really attractive, I must rise and express the objection of the Committee on Appropriations to this amendment.

This amendment is no better than the amendment offered in full committee which would have taken \$50 million from very important environmental protection issues and transfer it to this fund to create an inventory of gas and oil. The fact of the matter is, we cannot afford to remove the environmental protection in this bill, and we do not need the inventory that the gentleman from Pennsylvania (Mr. PETERSON) talks about. This amendment opens all coasts to new drilling.

The oil companies, the energy companies, the gas companies themselves already have this inventory, as does the Minerals Management Service at the Department of the Interior. We already know about this.

The truth of the matter is, this would just be a raid on the environmental issues to fund something that does not need to be done.

The committee is opposed to this. The Committee on Energy and Commerce have debated this in the past, have rejected similar amendments; and I hope that we will do the same thing today, that we will reject this particular amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

(Mrs. CAPPS asked and was given permission to revise and extend her remarks.)

Mrs. CAPPS. Mr. Chairman, I thank the gentleman for the time.

Mr. Chairman, I rise in strong opposition to the Peterson amendment. This amendment guts the long-standing bipartisan moratorium that currently protects the Nation's most sensitive coastal and marine areas, areas including California, Florida, the eastern Gulf of Mexico, the Pacific Northwest, New England, and the entire Atlantic coast. It is completely unnecessary.

Proponents say that we need to drill offshore to put an end to the high energy prices. The only problem with this argument is that the moratoria are not where the resources are.

MMS released its latest OCS resources survey just last year. Eighty-

one percent of the undiscovered, uneconomically recoverable natural gas in the OCS is located in the central and western Gulf of Mexico where drilling is currently allowed and under way.

This amendment means drilling in the coastal areas of the United States where there is not a whole lot of gas and oil, where tens of millions of our citizens have made it clear they do not want any more gas drilling, and it means gutting the Presidential-congressional moratoria that had been in for decades, reaffirmed by Presidents George H.W. Bush, Clinton, George Bush, every Congress since 1982. State officials have also endorsed the moratoria, including Governor Bush, Governor Schwarzenegger.

This House has voted three times in recent years to stop the oil drilling in waters off Florida, California, and the entire OCS. I urge my colleagues to defeat this amendment.

Mr. Chairman, I rise in strong opposition to the Peterson amendment. This amendment would gut the longstanding, bipartisan moratorium that currently protects some of the Nation's most sensitive coastal and marine areas. These moratoria areas include California, Florida and the Eastern Gulf of Mexico, Oregon, Washington, New England, and the entire Atlantic Coast. This amendment is an attack on the moratorium, and an attack on the rights of coastal States and local governments to raise legitimate objections to offshore development that affects their coastlines.

Mr. Chairman, this amendment is a bad idea for a number of reasons, not least because it is completely unnecessary. Proponents of the amendment say that we need to drill offshore to put an end to high energy prices. The only problem with this argument is the moratoria areas aren't where the resources are. The Minerals Management Service conducts a resources survey every five years. The latest comprehensive analysis assessment was finished in 2003. This assessment includes estimates of undiscovered oil and natural gas that is conventionally and economically recoverable.

We already know, for instance, that 81 percent of the Nation's undiscovered, economically recoverable natural gas on the OCS is located in the Central and Western Gulf of Mexico—where drilling is currently allowed and underway.

The amendment would mean drilling in coastal areas of the United States where there isn't a whole lot of oil and gas and where tens of millions of our citizens have made it clear that they don't want any more drilling.

Mr. Chairman, a little history might be in order here. In 1990, President George H.W. Bush announced an executive moratorium ending new drilling off California, Oregon, Washington, Florida and the entire East Coast. President Clinton extended it to 2012. Both actions were met with widespread acclaim by a public that knows how valuable—environmentally and economically—our coastlines are. And, of course, Congress has supported these actions for the last 20 years by restricting MMS from spending funds to support any new drilling or pre-drilling activities in these areas.

In addition, President George W. Bush endorsed both moratoria in his FY 06 budget.

State officials—including Florida Governor Jeb Bush and California Governor Arnold Schwarzenegger—have endorsed the moratoria. And, the House of Representatives has voted three times in recent years to stop new drilling in the waters off Florida, California and the entire Outer Continental Shelf. This amendment is bad policy and reflects the misguided attempt to try and drill our way out of energy problems.

Mr. Chairman, the United States has 3 percent of the known resources but we account for 25 percent of demand. Despoiling all of our coastal areas in the fruitless search for "energy independence" isn't going to work. Coastal communities continue to speak—in strong bipartisan voices—to protect their State's sensitive coastal resources and productive coastal economies. They are too economically valuable to risk with more drilling. It takes only one accident or spill to devastate the local marine environment and economy.

Mr. PETERSON suggests that his amendment would be limited to exploration for natural gas only, and that this approach would somehow avoid the risks of offshore oil drilling. There are serious flaws with this theory. There is virtually no way to explore only for natural gas without exploring for oil.

Moreover, natural gas development also has substantial and long-lasting impacts, including noise, water and air pollution. And it impacts the tourism and fishing industries.

Mr. Chairman, last Congress, 56 Republicans and 172 Democrats voted to protect the OCS Moratorium. In that vote, the House demonstrated its commitment to protecting our vital coastal communities. A vote against this amendment is the same thing—a vote to protect coastal areas from new drilling. We need to reject these attempts to weaken existing protections for our coastal waters.

I urge my colleagues to oppose this amendment.

ASSESSMENT OF UNDISCOVERED TECHNICALLY RECOVERABLE OIL AND GAS RESOURCES OF THE NATION'S OUTER CONTINENTAL SHELF, 2003 UPDATE

Using a play-based assessment methodology, the Minerals Management Service estimated a mean of 76.0 billion barrels of undiscovered recoverable oil and a mean of 406.1 trillion cubic feet of undiscovered recoverable natural gas in the Federal Outer Continental Shelf of the United States.

INTRODUCTION

This assessment represents an update of selected basins of the Federal Outer Continental Shelf (OCS). Assessments of the entire OCS were made by the Minerals Management Service (MMS) in 1995 and 2000 (MMS, 1996 and MMS, 2001). The next MMS assessment of the entire OCS is scheduled for completion in mid 2005. Areas selected for this update included those where significant new discoveries were made, such as parts of the Gulf of Mexico, and areas where new geological concepts have been developed, such as the Atlantic OCS margin and the North Aleutian Basin of Alaska. Results from this selective update were combined with the year 2000 assessment results from other areas to yield the regional totals presented here.

The MMS utilizes a probabilistic play-based approach to estimate the undiscovered technically recoverable resources (UTRR) of oil and gas for individual plays. This methodology is suitable for both conceptual plays where there is little or no specific information available, and for developed plays where

there are discovered oil and gas fields and considerable information is available. After estimation, individual play results are aggregated to larger areas such as basins and regions.

This assessment is limited to technically recoverable undiscovered resources of oil and gas. Unlike MMS's 1995 and 2000 assessments, it does not contain economic analyses of what portion of these technically recoverable resources are commercially viable.

RESOURCE SUMMARY

The MMS estimated that 76.0 billion barrels of oil and 406.1 trillion of cubic feet of gas are technically recoverable from the U.S. Federal OCS. These results are presented by area in table 1, which lists mean values as wells as the 95th and 5th percentile values representing high and low probability cases, respectively. Greater range between the high and low values indicated higher uncertainty in the estimates.

These values represent a 1 percent increase in oil resources and a 12.1 percent increase in gas resources when compared with MMS's 2000 assessment. The increases are due to changes in the assessments of the Atlantic and Gulf of Mexico OCS areas. Both the Alaska and Pacific OCS area resource estimates are essentially unchanged from 2000. The increases also account for the approximately 2 Bbbl oil and 8 Tcfg that were discovered and moved to the reserves category during this time period.

TABLE 1.—UNDISCOVERED TECHNICALLY RECOVERABLE RESOURCES OF THE OCS

	Undiscovered technically recoverable resources								
	UTRR oil (Bbbl)			UTRR gas (Tcf)			UTRR BOE (Bbbl)		
	F95	Mean	F5	F95	Mean	F5	F95	Mean	F5
Alaska OCS	16.6	25.1	35.9	54.6	122.1	226.2	28.0	46.9	72.1
Atlantic OCS	1.9	3.5	5.3	19.8	33.3	50.6	5.4	9.4	14.3
Gulf of Mexico OCS	31.5	36.9	44.0	208.9	232.5	267.6	68.7	78.3	91.6
Pacific OCS	4.4	10.5	21.8	7.4	18.2	38.2	5.7	13.7	28.6
Total OCS	62.1	76.0	93.0	326.2	406.1	520.0	122.0	148.3	180.4

(Bbbl, billion barrels of oil, Tcf, trillion cubic feet of gas. F95 indicates a 95 percent chance of at least the amount listed, F5 indicates a 5 percent chance of at least the amount listed. Only mean values are additive.)

In the Atlantic OCS area significant new knowledge and information was gained as a result of recent drilling in the Scotian basin offshore Canada. Applying this new information led to adjustments to risks applied to previous defined plays, and to the definition of new plays resulting in increased estimates for oil and gas UTRR of 52 percent and 19 percent respectively over MMS's 2000 study. Gulf of Mexico OCS oil resources have remained flat while gas resources have increased by over 20 percent relative to MMS's 2000 study. This increase is attributed primarily to plays in the deep shelf areas of the Central and Western Gulf of Mexico, and to the Eastern Gulf of Mexico. Results of new drilling and discoveries led to revisions of plays and their associated risks that significantly increased gas resources. This is especially true for conceptual plays where valuable insights into the presence of source rock, maturation, migration, trapping, and reservoir facies were gained.

REFERENCES

Minerals Management Service (MMS), 1996: An Assessment of the Undiscovered Hydrocarbon Potential of the Nation's Outer Continental Shelf, OCS Report MMS 96-0034.
—, 2001: Outer Continental Shelf Petroleum Assessment, 2000, OCS Report MMS 2001-036, 12 p.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I would like to associate my comments with the gentlewoman from California (Mrs. CAPPS).

The proponents of this say that it is oil and gas. We are not talking oil. If you want to poke a hole in the ground in Oklahoma or you want to do it in land or even in ANWR, where they have the technology not to cause the spills, that is fine. I will support you, or clean coal, I will support you.

I understand the plight the farmers have with the cost of natural gas and the fertilizer problem that they have. I will work with the gentleman on that as well.

They say, well, let us do it in the Gulf of Mexico, so we are going to do to Mexicans what we want to do for us? If you poke a hole in the Earth, you are going to get oil up. I do not know if

you have ever come to Long Beach, you better bring kerosene with you if you go on our beaches. Because you take your dog or you walk along those beaches, the bottom of your feet are solid oil. You go poking holes in that, the economy of California is critical to tourism.

We have the best beaches, better than Washington State. We have the best weather, and we invite you to come spend your money in California, but you are not going to come if we start poking holes in the bottom of the Pacific along the coast as the gentlewoman from California (Mrs. CAPPS) says.

I know the heart and the effort of the gentleman that is offering this amendment, and I know why he is doing it and I empathize with him, but it would destroy the California economy and environment as well as our beaches.

We have got beautiful lagoons. We have got the most beautiful lagoons in the world, and wetlands. I am not an extreme environmentalist, but those are, no kidding, true wetlands; and the National Academy of Science says whether you are drilling for oil or gas off the California coast, you are going to, not maybe, you are going to hurt the wildlife, you are going to destroy those lagoons, and then we are going to end up like Long Beach with oil all over our beaches and hurt our economy.

So I oppose the gentleman's amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY) who also cares deeply about this issue.

Ms. WOOLSEY. Mr. Chairman, actually, it sounds like the author of this amendment does not quite understand the need to preserve our beautiful coastline.

The coast of Marin and Sonoma counties, my district, is one of the most biologically productive regions in the world. While it comprises only 1 percent of the ocean, it is home to 20 percent of the world's fish.

The coastal estuaries are important passages for endangered salmon, steelhead, essential haulouts for seals and sea lions, and prolific nurseries for hundreds of aquatic species.

The coastal communities in my district rely on tourism and the fishing industry that could be severely hurt if offshore oil drilling and gas drilling were permitted off our coasts.

The people who live in my district do not and will not support offshore drilling. They realize that we need an energy policy that focuses on investments in energy efficiency and renewable energy sources, not oil rigs, not an endless depletion of our natural resources.

Mr. Chairman, here we go again. For some reason, the Majority Party feels that if we just keep drilling for more gas then our emergency crisis will be over. Unfortunately, they aren't looking for a solution to our energy crisis and rising gas prices, instead, they are looking to line the pockets of big oil companies by supporting offshore oil drillings.

Let's not forget the irrevocable damage to our environment that offshore drilling causes. This devastation can be seen in the Gulf of Mexico where OCS pipelines crossing coastal wetlands are estimated to have destroyed more coastal salt marsh than can be found in the stretch of coastal land running from New Jersey through Maine.

It sounds like the author of this amendment doesn't understand the need to preserve our beautiful coastlines.

But, the people that I am so fortunate to represent in Marin and Sonoma counties do understand. They get it.

The coast of Marin and Sonoma County in my district is one of the most biologically productive regions in the world.

While it comprises only one percent of the ocean, it is home to 20 percent of the world's fish. The coastal estuaries are important passages for endangered salmon and steelhead, essential haulouts for seals and sea lions, and prolific nurseries for hundreds of aquatic species.

The coastal communities in my District rely on tourism and fishing—industries that could be severely hurt if offshore drilling was permitted off of our coast. If you were to visit this

beautiful stretch of coast, you would understand why the people who live in my district don't and won't support offshore drilling. They realize that we need an energy policy that focuses on investments in energy efficiency and renewable energy source, not oilrigs and the endless depletion of our natural resources.

Mr. Chairman, I urge my colleagues to join me in opposing the Peterson amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I am here to support the long overdue Peterson amendment.

I come from Florida. We will not hear a lot of folks talk about this. It is a hot political issue. All of us are equally concerned about preserving the environment.

Since my days in the legislature, I have always supported the safe and environmentally sound development and exploration of natural gas off the coast of Florida. I helped participate in the development of the section 181 prohibitions. I oppose oil drilling. We can safely extract natural gas.

For all of the 1990s, and many of my colleagues were here, our policy was to convert coal and oil-generating plants to natural gas, and we have done that in over 30 of our plants in Florida, and we have got more coming online.

My colleagues saw that we pay just about double the price. This not-in-my-backyard does not cut it. We can keep it offshore, but we can still do it soundly and safely.

I support the amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. DICKS. Mr. Chairman, could the Chair give us a breakdown of the time.

The Acting CHAIRMAN. The gentleman from Washington State (Mr. DICKS) has 2 minutes remaining. The gentleman from Pennsylvania (Mr. PETERSON) has 5 minutes remaining before yielding, and the gentleman from Florida (Mr. YOUNG) has 3 minutes remaining.

The gentleman from Hawaii (Mr. ABERCROMBIE) is recognized.

Mr. ABERCROMBIE. Mr. Chairman, I want to speak in favor of this.

I have spent 15 years here trying to develop alternative sources of energy so we are not victimized by oil. We have a safe extractive method here with natural gas. We have encouraged it. We want to get to alternative energies. This is one of the alternative energies, and it has a direct effect on the working people of this country.

I will tell my colleagues, I think this is a jobs issue. This is a blue collar issue. This is a family issue in terms of bringing down prices and getting a safe supply of fuel for this country. If we do not get into this kind of alternative, we are going to be struck forever in rhetoric and not being able to produce for our people, not just fuel but produce it in a way that is truly alter-

native and within the bounds of people's budgets.

That is why we need to support this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding me this time, and I stand in vigorous opposition to this amendment or any amendment similar to this.

The point has been made that you can drill for gas safely. When you start drilling, you do not know what you are going to get. You do not know whether you are going to get gas or oil, and the environmental problems here are immense.

Thanks to the gentleman from Florida (Mr. YOUNG), we have had this moratorium in place since 1983. We need to leave it in place. The environmental studies and testimony that would be required in order to negate any chance of pollution must be gone through before this House ever considers such a bill.

So I would urge all the Members to vote against lifting this moratorium. It is reckless. It is reckless to the environment of Florida. It is a bad environmental vote, and I recommend its defeat.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, I thank the gentleman for the time.

It seems like there is quite a bit of discrepancy here in our information. Many of us believe that natural gas can be extracted without endangering the environment. I happen to be on that side of the issue.

We have continually increased our emphasis and our dependence on natural gas, and yet our supply has remained stagnant. We have tried to put in the pipeline from Alaska. That has been stalled.

Currently, we are paying 600 percent more for natural gas than many other nations in the world. Those living on fixed incomes are being eaten up by these costs.

In the area of agriculture, we find that pumping fuel is 20 percent higher this year. We are going to need 10 to 12 cents more per bushel of grain in order to offset the increasing cost of gas and fertilizer. This is the margin that most farmers rely on. That puts them into an unprofitable situation.

So I rise in support of this amendment. I believe it can be done in an environmentally safe and sensitive way, and it does make sense.

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Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, hard-working American families are paying a high price at the gas pump today because of our Nation's dependence upon

foreign energy. Every day high gasoline prices are hurting good, decent hard-working families who are having to cut back on their purchases of food, medicine, and clothes. High natural gas prices are hurting our Nation's businesses, who are laying off families and breadwinners.

This is simply about supporting an amendment that will provide environmentally safe and sound production of natural gas off the eastern Gulf Coast, something we are already doing off the Texas and the Louisiana coast. And to my friend, the gentleman from California (Mr. CUNNINGHAM), I have walked on Texas beaches since I was 2 years old and have yet to end up with black-bottom feet because of oil on our beaches.

Mr. Chairman, this can be done in a positive way. But most importantly we need to send a message to the OPEC nations that we are tired of a handful of OPEC oil ministers putting their hands around the necks of family budgets and businesses here in America.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman for yielding me this time.

We hear a lot of conversation today here on the floor about national security and not depending upon foreign sources of oil and gas. Let me just say that this particular issue is in fact a national security issue.

Most of the focus we hear, obviously, is on the potential environmental impacts and impacts on tourism and all of the environmental things we enjoy along our coasts in Florida and in California. But let me just say that the biggest impact that could happen with oil and natural gas, drilling or exploration in the eastern Gulf of Mexico is a potential to harm our ability to test and evaluate all of the Air Force weaponry that is used around the globe.

In fact, let me read a quote to you. "Wilbert Patterson, Brigadier General, United States Air Force, June of 2000. We are deeply concerned over the construction of any oil or gas structures that could impact on our critical test programs performed by the Air Armament Center at Eglin Air Force Base."

This is an issue of national security. We have to be able to test in the Gulf ranges and this drilling will harm that testing.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. DAVIS), who is deeply concerned about this issue, as well as his colleagues from California.

Mr. DAVIS of Florida. Mr. Chairman, I rise in opposition to this amendment. The argument that has been made in support of the amendment is that the price of natural gas is increased to the consumer. And we should address this as a Congress. But one of the points that has been overlooked here today is that this Congress passed an energy bill that provided initial financial incentives to drill in the central and

western gulf, and that is a valid attempt by this Congress to address this issue.

But to open up the eastern Gulf of Mexico would be a terrible mistake. There is a very small proportion available, and what is available is right off the coast of Florida. It has been suggested Florida should follow the standards of Texas with respect to our beaches. The beaches in Florida are a pristine treasure not to be experimented with.

The truth of the matter is nobody here on the floor of the House knows what the risk is if you drill. This amendment may say gas, but it is about gas and oil. Because once you start drilling, you get what you get when you drill. So we should not sacrifice or risk the Florida beaches or the California beaches to get a small proportion of gas that can be more easily achieved, and which this Congress is promoting through deepwater drilling in the central and western coast.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, opening up the Offshore Continental Shelf will save \$300 billion in natural gas costs over 20 years for our consumers and manufacturers. It is not just for businesses, but to heat and cool our homes we use natural gas. If we do not explore and produce off our potential, whether it be California, the eastern Gulf of Mexico, or anywhere else, we are going to continue to be held up by the world price. Our consumers will pay for it.

Mr. Chairman, I like the beaches in Texas, I like them in Florida and California, but I also know we need to use our natural resources.

Supply and demand for energy is out of whack and our Nation needs more energy. The Federal Government tried to mandate demand reduction in the last energy crisis and it contributed to a nationwide recession we do not want to repeat.

A recent Gallup poll found that half of family budgets have been seriously affected by the recent rise in energy prices.

Opening the OCS could save \$300 billion in natural gas costs over 20 years, for consumers and manufacturers. High natural gas costs are sending manufacturing jobs overseas, following the cheap gas.

Environmentally conscious nations like Norway, Denmark, Canada, Japan and the UK are safely and successfully producing natural gas from their coastal waters.

No nation can produce energy more responsibly than ours. I have been on oil and gas rigs and they have such few discharges into the ocean, a medium sized fishing boat will leak more in a year.

This amendment is a major opportunity for us to respond to today's energy crisis with a national solution. I feel justified in supporting this amendment because I am from a coastal district. My constituents feel the same way as I do on this issue.

Chemical production and oil and gas exploration, processing, and refining are Texas top coastal industries. My colleagues from Florida and California think only they have beaches, but coastal tourism is Texas's second largest coastal industry.

That fact alone shows the argument that oil and gas production and coastal tourism are mutually exclusive is just plain wrong. They are acting like Chicken Little, and cannot point to one beach in Texas that has been ruined by oil or natural gas production.

There will be less need for LNG facilities and LNG tankers when we tap our own offshore resources so we can use the safest mode of transportation in the world—pipelines.

To address the needs of American families, we need a 3 pronged strategy. First, we need more production and infrastructure to meet our needs of today and tomorrow.

Second, we need more conservation to keep our economy going as resources become more competitive globally.

Third, we need more research to transition our economy to future sources of energy, for a time when petrochemicals are only used for materials, and not as an everyday fuel.

Supporting only long-term solutions and conservation is just not enough. It might be easier if it was, but we need to do more for today's energy problems. We will need continued American energy production for some time.

My point is not that we can drill our way to cheap oil or drill our way to energy independence. If we allow domestic production to die out, conservation and research will not save us, and we will have to pay a terrible economic price.

I urge my colleagues to support oil and gas production in the Outer Continental Shelf.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I apologize to my good friend, the gentleman from California (Mr. CUNNINGHAM), but I have always supported the oil and gas exploration. Our economy demands it, and I believe this can be done safely. It is a jobs issue, it is about lowering the price of energy, and I strongly urge support for the Peterson amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 30 seconds to the gentleman from Iowa (Mr. KING).

(Mr. KING of Iowa asked and was given permission to revise and extend his remarks.)

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman for yielding me this time.

I would point out that Iowa and the Corn Belt are held hostage to the price of natural gas in two ways. It is our input cost for nitrogen fertilizer. Ninety percent of the cost is the cost of natural gas. The other side is that we use it to dry grain.

We have to have a full energy picture. I congratulate the gentleman for bringing this amendment, fully support it, and I urge adoption of it.

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to this amendment.

First of all, we had no hearings in the committee about this. I believe that on a subject of this importance, if we are going to take back this protection that we have had on the books almost for the last 25 years, we have to have hearings. We have to bring in the parties and give people good information about what this is all about. That was not done. This amendment came up for the first time in the full committee.

So I believe just on process this amendment should be defeated, and I would tell the gentleman from Pennsylvania that we should take a look at this. The committee should have some oversight hearings. But to come here now without having those hearings, the benefit of those hearings, and to present this and reverse 25 years of Presidential and Congressional cooperation would be a serious mistake. So I oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume to ask the gentleman if we had hearings before it was put in this bill 20 years ago and every year in a row? No.

Mr. Chairman, I yield 30 seconds to the gentleman from New Mexico (Mr. PEARCE).

(Mr. PEARCE asked and was given permission to revise and extend his remarks.)

Mr. PEARCE. Mr. Chairman, I rise to support the amendment. I made my living in the oil and gas business. And to correct an earlier statement, you can determine what you are going to drill for. You can determine that you are going to put oil at the surface or you are going to put gas at the surface. That is to correct the record.

We are in a world economy, and we are losing our jobs. These jobs are 100,000 a year-plus jobs when we lose them out of the chemical industry and the fertilizer industry. I was in the industry when the price went from \$2 to \$50. We will drill this gas. We will simply do it before or after we lose our jobs. We will do it before or after people have to give up their homes to heat them.

Mr. YOUNG of Florida. Mr. Chairman, what is the status of the remaining time?

The Acting CHAIRMAN (Mr. SHIMKUS). The gentleman from Florida (Mr. YOUNG) holds the remaining time of 1 minute.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time.

Again, I represent the strong position of the committee in opposition to this amendment. The committee has considered this many, many times before and determined that this moratorium should stay in place. It started in 1983. There have been attempts to change it since then unsuccessfully.

We cannot solve the energy problems of America and the world in an appropriation bill. Those issues should be

settled in an energy bill, and the energy bill that was before us did not include this amendment because it just does not work.

So, representing the committee, and the minority has indicated, as indicated by the gentleman from Washington (Mr. DICKS), we are opposed strongly to this amendment and hope that the Members will reject it.

Mr. KING of Iowa. Mr. Chairman, I rise today to urge my colleagues to vote in favor of the Peterson Amendment to end the 20 year moratoria on natural gas production from the outer continental shelf and Gulf of Mexico.

High natural gas prices have not only affected the 61 percent of U.S. households that use natural gas for heating and cooking, but America's small businesses, including agriculture. The agricultural industry depends on natural gas for crop drying, irrigation, heating, farm buildings, food processing and nitrogen fertilizer production.

Undoubtedly, the most demanding use of natural gas by the farm sector is in the production of nitrogen fertilizer. It accounts for 90 percent of total costs of producing fertilizer. The surge in natural gas prices over the last four years has been a key reason why nitrogen fertilizer costs have jumped by nearly 50 percent at the farm level. This problem is not going away on its own, a recent report by Iowa State University estimates that farmers can expect to pay 20 percent more for fertilizer this year than they did last year.

Nitrogen fertilizer is an essential component in today's high-yielding agriculture and accounts for more than 40 percent of the total energy input per acre of corn harvested. The importance of nitrogen to crop production can be illustrated by the fact that it is applied to 96 percent of all corn acres, 86 percent of all wheat acres and 80 percent of all cotton acres. According to data from the University of Illinois, without nitrogen fertilizers, corn yields would reduce by one-third to one-half.

This 20 year moratorium has created a supply squeeze for natural gas. On one hand, electric utilities and other industries have been influenced to move away from using our plentiful supplies of coal and towards the use of natural gas. Natural gas has been the fuel of choice for more than 90 percent of the new electric generation to come online in the last decade. At the same time, access to natural gas is limited due to environmental policies. Clearly we can't have it both ways.

Our family farmers are already efficient. Since 1980, they have increased efficiency by 35 percent while still boosting corn yields by 40 percent. But they need Congress to produce the kind of policies that enable them to access the resources they need at a reasonable price.

American agriculture is being held hostage to high natural gas prices, yet we have a plentiful supply right here in the United States. A vote in favor of the Peterson Amendment will be a vote for agriculture.

Mr. YOUNG of Florida. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendments offered by the gentleman from Pennsylvania (Mr. PETERSON).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendments offered by the gentleman from Pennsylvania (Mr. PETERSON) will be postponed.

AMENDMENT OFFERED BY MR. WU

Mr. WU. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WU:
Immediately after Sec. 104 insert the following:

None of the funds in this or any other Act shall be used to permit class III gaming activities under the Indian Gaming Regulatory Act on non-reservation Indian land.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

Mr. WU. Mr. Chairman, I thank the chairman and the ranking member, but I am deeply concerned about a possible Indian gambling casino in the Columbia River Gorge National Scenic Area. I have had these concerns for at least 7 years, and I am extremely disappointed in recent developments. The Governor of Oregon signed a compact with this tribe on April 6 and it was presented to the Department of the Interior on April 8.

I have been consistent in my position and I have privately informed the Confederated Tribes of the Warm Springs Reservation and Governor Kulongoski and his predecessor Governor Kitzhaber throughout my congressional career that I specifically do not support a casino in the Columbia River Gorge National Scenic Area, and that generally I oppose off-reservation gaming casinos.

I have persisted in suggesting to the Warm Springs Tribe that they consider a new location on reservation land along a highly traveled route, namely Highway 26, between Portland, Oregon, and Bend, Oregon. This particular proposal came to the Federal Government on April 8, and it is necessary that I weigh in now. I am asking Secretary Norton to disapprove the Tribal-State compact, because this casino will hurt the Columbia River Gorge, other tribes and all Oregonians.

I understand the Secretary intends to approve this compact, but that only starts the process. I am here to tell the Secretary and the Tribe that Congress will not be silent while the crown jewel of Oregon's natural heritage gets trashed. I have been a supporter of preserving the Columbia River Gorge National Scenic Area and I will continue to do so.

A casino of this magnitude will bring over 3 million non-Gorge-related visitors per year, a million cars per year to the area, and exacerbate traffic, pollution, and risks to endangered species in the Columbia River Gorge National Scenic Area. I am pro-Gorge, and I am troubled that there is a possibility of disturbing this crown jewel of Oregon's natural heritage. I will actively oppose this proposal and do everything I can to protect the Gorge.

State and Federal agencies have already determined that air quality in the Columbia River Gorge is significantly degraded and that visibility is impaired 95 percent of the time within this national scenic area. Also, according to the United States Department of Agriculture Forest Service Pacific Southwest Research Station, this area suffers acid rain and fog as severe as what falls in industrial cities such as Los Angeles, Pittsburgh, and New York.

Mr. Chairman, States such as Oregon, Nevada, Louisiana, Rhode Island, and South Dakota derive State taxes from casinos, slot machines, and lotteries for more than 10 percent of their overall State revenues. Oregon must not become further dependent on gambling. In all the States I listed, budgetary problems persist and gambling does not solve their problems. We should not sacrifice our national treasures, our communities, or our souls upon the altar of Indian casino gambling.

Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. DENT).

□ 1445

Mr. DENT. Mr. Chairman, I look forward to having an opportunity to work with my colleagues from Oregon and California in the near future in order to address the expansion of casino gambling to off-reservation sites.

I thank the gentleman for allowing me to address this issue of concern to my district. In my Pennsylvania district, the Delaware tribes of Oklahoma have filed suit in order to acquire the right to establish a casino. Their claim is based on a conveyance that allegedly occurred in 1737 before our Nation's independence. The land that they claim is home to at least 25 local families, and also contains the Binney and Smith manufacturing plant, the maker of Crayola crayons. These tribes, who are based out of State, are only interested in seeing working and senior Pennsylvanians gamble away their hard-earned dollars. They are not concerned about the valuable manufacturing jobs jeopardized as a result of the displacement caused by this casino, or the fact that Binney and Smith/Crayola makes a useful product loved by children all over the world.

I am concerned about this kind of reservation shopping, and I look forward to working with my colleagues from California and Oregon and Michigan and elsewhere in order to limit these tribes' ability to build new casinos on properties not contiguous to existing reservations or on those lands where ownership is based solely on a conveyance that predates the existence of our Nation.

Mr. EHLERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thank the gentleman for this discussion about casinos. I want to relate a similar problem that we have in my area in Michigan, not directly in my district, but it impinges on my district.

I believe it is high time that the Congress address this particular problem. The difficulty my area is a case of a tribe which does not live in the area in which it is seeking to have land placed in trust for it in a community that welcomes it because they think that there will be economic development. But, in fact, it is going to have serious impact on areas in my district and on surrounding communities.

Obviously, it is going to be a high-traffic area, with a need for new roads, and of course the casinos do not pay any tax. There will be no tax on the land, and this results in a good deal of problems that the local communities and state will not have the funds to take care of.

I believe it is very important to put a limitation on off-reservation gambling and on cases where a tribe moves into an area which is nowhere near its home and claims that to be an area where they can have land placed in trust, and they then build casinos and other facilities.

It creates particular problems, for example, for merchants who may be running a supermarket or a gas station, and suddenly there is somebody new in town who is offering the same services, but does not have to pay taxes. This is a totally unfair proposition for the local businesses that are there. In that sense, I support the effort to put some regulation on this.

I am not rising in support of the amendment. I have been involved in discussions with the previous speakers, and they have much the same problems we do, but I have also discussed it with the gentleman from California (Mr. POMBO) who chairs the Committee on Resources, and he has assured me and the rest of us that he has a bill that will deal with this problem and that will provide free and open debate on the House floor.

Rather than deal with it in an appropriations bill, it is my preference that we not consider these amendments at this point, but defer to the gentleman from California (Chairman POMBO) and await the chairman's bill which he has said that he will attempt to get out of committee and onto the floor before the August recess.

We have to recognize this is a serious problem for many communities across the country. I have only addressed one aspect of it, but there are many other aspects that have to be addressed and understood. When the Pombo bill comes up, we will have time for a full debate and discussion of all of the other tangential issues as well, including what ability the States have to regulate the location of these facilities, and what ability the States have to negotiate compacts so that the actual costs to the State and local communities are met by these facilities that are moved into an area where the sponsoring individuals have never lived.

Mr. WALDEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment proposed by my colleague from Oregon. I only wish I had known in advance the gentleman was going to offer this amendment because it is specifically targeted toward my district, a tribe in my district, that is seeking to gain approval of a compact and take land into trust.

Warm Springs Tribe is not a family of five that has gone out shopping somewhere in some other State for land. There are 4,400 tribal members who are suffering on the reservation. They have worked diligently with the communities involved. They have land in the Scenic Columbia River Gorge that is in trust and was in trust prior to the passage of IGRA, and it is on a hillside where they have plans where they could build, and they could do that today.

But that land would scar the beauty of the Scenic Columbia River Gorge, which is my home and has been my home all of my life. This tribe, instead, looked to another area, and my colleague from Oregon suggests that the area they looked at is the crown jewel of the gorge.

Mr. Chairman, this is port property zoned for industrial use, leveled out with dredge tailings from the construction of the second lock at Bonneville Dam, all right, as opposed to an area up on a side hill that is timbered and beautiful where they already have land. So they worked with the local community which supports them locating there. They reached a compact with the Democratic Governor in a long and protracted discussion. That compact is now before the Secretary.

My colleague has on more than one occasion mentioned an acid rain study. We have looked at that, and he should know because we know it was done over a 4-month period one with readings at a little town in Wishram, Washington, during the winter when it is foggy in the gorge. So there is much more to that story that I will not get into today, but I suggest the gentleman take another look at that study.

I grew up in the gorge. We are the wind-surfing, kite-boarding capital of the world. And in the summer, if you want to come and find where the wind blows, come to the gorge and enjoy the great recreational opportunities, and it blows from the west. The west is where the great urban center of our wonderful State is, where there are traffic problems and industrial problems; and I tell Members that because if there is a problem with pollution in the gorge, it is not coming from the east, it is coming from the west.

So I urge Members to oppose this amendment. I think the chairman of our Committee on Resources has a much more prudent approach, to look at this issue on a broader scale, to see what is the best policy for this Nation to follow when it comes to dealing with these issues of tribal casinos on or off reservation.

But to move an amendment like this with very little notice, if any, on an appropriations bill, I would dare say, is not appropriate.

POINT OF ORDER

Mr. TAYLOR of North Carolina. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part: "An amendment to a general appropriations bill shall not be in order if changing existing law." The amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIRMAN (Mr. SHIMKUS). Does any Member wish to be heard on the point of order?

Mr. WU. Mr. Chairman, I would inquire of the chairman as to whether the chairman would permit the gentleman from Oregon (Mr. WALDEN) and me to engage in a discussion of the merits of the amendment.

The Acting CHAIRMAN. At this point debate is on the point of order. The gentleman from Oregon may not yield to another for discussion on the point of order. The Chair will hear each Member on his own time in debate on the point of order.

PARLIAMENTARY INQUIRY

Mr. WU. Parliamentary inquiry.

The Acting CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. WU. What is the scope of discussion permitted in this segment of the debate?

The Acting CHAIRMAN. Argument relevant to the point of order raised against the amendment.

Mr. WU. I concede the point of order.

The Acting CHAIRMAN. The point of order is conceded and sustained. The amendment is out of order.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. SHIMKUS, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2361, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 2361 in the Committee of the Whole pursuant to House Resolution

287, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member on the Committee on Appropriations or their designees for the purpose of debate;

Amendments printed in the RECORD and numbered 3, 6, 8, 11, 13, and 17;

Amendments printed in the RECORD and numbered 1, 4, 5, and 14, which shall be debatable for 20 minutes;

An amendment by the gentleman from Florida (Mr. HASTINGS) regarding environmental justice, which shall be debatable for 20 minutes;

An amendment by the gentleman from Wisconsin (Mr. OBEY) regarding a \$500 million increase in Clean Water State Revolving Fund and tax matters;

An amendment by the gentleman from Wisconsin (Mr. OBEY) regarding a \$100 million increase in Clean Water State Revolving Fund, which shall be debatable for 20 minutes;

An amendment by the gentleman from Ohio (Mr. GILLMOR) regarding State and Tribal Assistance Grants;

An amendment by the gentleman from Ohio (Mr. CHABOT) or the gentleman from New Jersey (Mr. ANDREWS) regarding the Tongass National Forest, which shall be debatable for 20 minutes;

An amendment by the gentleman from California (Mr. POMBO) regarding making spending on certain accounts subject to authorization;

An amendment by the gentlewoman from California (Ms. SOLIS) regarding intentional dosing;

An amendment by the gentleman from Wisconsin (Mr. OBEY) to amendment No. 5;

An amendment by the gentleman from California (Mr. COSTA) regarding concession sales;

An amendment by the gentleman from California (Mr. DOOLITTLE) or the gentleman from California (Mr. THOMPSON) regarding Lower Klamath and Tule Lake; and

An amendment by the gentleman from North Carolina (Mr. TAYLOR) regarding funding levels.

Each such amendment may be offered only by the Member named in this request or a designee, or the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment, except as specified, and except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Interior, Environment, and Related Agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and opponent. An amendment shall be considered to

fit the description stated in this request if it addresses in whole or in part the object described.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. OBEY. Mr. Speaker, reserving the right to object, I am trying to stall for time while we clear up a controversy that has arisen.

□ 1500

I certainly am in support of the intention of the gentleman's request, but it is my understanding that there may be a problem with one of the amendments. I am hoping that by the time I am done filibustering here the gentleman's staff will have worked it out with the Parliamentarian and we will be able to proceed.

The SPEAKER pro tempore (Mr. TERRY). The Chair will inquire of the gentleman from North Carolina, does the request include a possible modified form of amendment No. 1?

Mr. TAYLOR of North Carolina. Yes, Mr. Speaker.

Mr. OBEY. Mr. Speaker, with that understanding, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanoa Evans, one of his secretaries.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2361.

□ 1502

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. SHIMKUS (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the bill had been read through page 53, line 17.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of

the Committee on Appropriations or their designees for the purpose of debate;

Amendments printed in the RECORD and numbered 3, 6, 8, 11, 13, and 17;

Amendments printed in the RECORD and numbered 1 subject to a modification to the amendment as printed in the RECORD, 4, 5, and 14, which shall be debatable for 20 minutes;

An amendment by the gentleman from Florida (Mr. HASTINGS) regarding environmental justice, which shall be debatable for 20 minutes;

An amendment by the gentleman from Wisconsin (Mr. OBEY) regarding a \$500 million increase in Clean Water State Revolving Fund and tax matters;

An amendment by the gentleman from Wisconsin (Mr. OBEY) regarding a \$100 million increase in Clean Water State Revolving Fund, which shall be debatable for 20 minutes;

An amendment by the gentleman from Ohio (Mr. GILLMOR) regarding State and Tribal Assistance Grants;

An amendment by the gentleman from Ohio (Mr. CHABOT) or the gentleman from New Jersey (Mr. ANDREWS) regarding the Tongass National Forest, which shall be debatable for 20 minutes;

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An amendment by the gentleman from California (Mr. COSTA) regarding concession sales;

An amendment by the gentleman from California (Mr. DOOLITTLE) or the gentleman from California (Mr. THOMPSON) regarding Lower Klamath and Tule Lake; and

An amendment by the gentleman from North Carolina (Mr. TAYLOR) regarding funding levels.

Each amendment may be offered only by the Member named in the request or a designee, or the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment, except as specified, and except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Interior, Environment, and Related Agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

The Clerk will read.

The Clerk read as follows:

SEC. 105. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural

gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997-2002.

AMENDMENT NO. 14 OFFERED BY MR. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. ISTOOK:

Page 53, line 24, after the period, insert the following: "This section shall not apply on and after any date on which the Energy Information Administration publishes data (as required by section 57 of the Federal Energy Administration Act of 1974 (15 U.S.C. 790f) demonstrating that net imports of crude oil account for more than two-thirds of oil consumption in the United States.".

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. The point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from North Carolina (Mr. TAYLOR) each will control 10 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, as we heard earlier, a major reason that we have skyrocketing energy prices in the United States is because this bill has been used for a vehicle for 30 years to restrict the ability to explore in the Outer Continental Shelf. When those restrictions were first adopted, America was importing 28 percent of its oil from foreign shores. Today, that has risen to 58 percent and it continues to climb dramatically each year.

This amendment, Mr. Chairman, says it is about time that we create a commonsense trigger. At such time as two-thirds of our energy consumption is coming from overseas, then we will lift the moratorium in the area that has the most promise, which in this case is the eastern Gulf of Mexico.

Mr. Chairman, I know the big issue to people is, is it environmentally safe to do so? I realize that is the concern and I would like to focus on that. America has not had any major spill from an offshore oil well since 1969. Why? It is not because we are not drilling offshore. We are getting 25 percent of our oil from offshore, actually 30 percent of oil and a fourth of the natural gas. But we are not allowing drilling in most of the areas. Ninety percent of the coastal areas in the lower 48 States are closed by these moratoria. To drill offshore, however, you have to obtain 17 major Federal permits. You have to obey 90 sets of Federal regulations which have been put in place during the years of these moratoria. All of those are designed to protect the environment. They have been 99.999 percent effective in keeping the environment

safe. Less than one one-thousandth of 1 percent of the oil that is produced offshore has been spilled. Who else has a safety record like that, 99.999 percent? We also are able to produce it from fewer offshore platforms because we have horizontal drilling that allows multiple wells to be drilled from a single location. And of the oil spills, the very few that have happened, 97 percent are of less than one barrel of oil.

We are talking about drilling at least 10 miles offshore in Federal waters. In most of these cases, we are talking about drilling 100-plus miles offshore. There is enormous potential for this. The official estimate says there is 76 billion barrels of oil and 406 trillion cubic feet of natural gas in the Outer Continental Shelf. But 90 percent of these resources in the lower 48 have been placed off-limits.

This is not about the oil or gas industry. This is about our national security. This is about the fact that we are spending \$180 billion a year to bring in foreign oil when we ought to be producing so much more of that here and employing hundreds of thousands more people in the United States, bringing about better availability, lower prices, more jobs, and all in a way that we have proven through the offshore production that is happening, we have proven it can be done in an environmentally safe manner, it is being done in an environmentally safe manner.

The amendment says it is time to say, this is not a perpetual ban. When we reach a point, which we will in a few years, that two-thirds—two-thirds—of the oil and gas we use is coming from foreign shores, is it not about time that we find a commonsense approach to lift the bans and have environmentally clean and responsible ways to produce this energy America needs?

Mr. Chairman, the recent steep rise of energy prices has convinced consumers that America needs more energy, and we need to be producing it ourselves. We don't want to rely on supplies halfway around the world, and we don't want to ship tens of billions of American dollars overseas each year to buy foreign oil. We're spending \$180 billion dollars each year to buy foreign oil. If we could spend those billions right here in the USA, to produce more of the energy we use, we could add hundreds of thousands of high-paying American jobs.

Why aren't we doing this? Unfortunately, some well-intentioned concerns for the environment have grown into ungrounded fears. Rather than balancing environmental issues with our need to produce more energy, we've let things get out of kilter. One of our biggest failures is that we've placed so much of our oil and gas reserves off limits. We've done that by including provisions in this Interior appropriations bill—provisions we've had in it now for decades—that have banned drilling in most areas of the Outer Continental Shelf. What's worse, we have failed to review and adjust those provisions, to recognize that things are different now than when we first adopted those restrictions.

There is no longer a conflict between our ability to protect the environment and our abil-

ity to produce energy by drilling offshore. We're talking about areas at least 10 miles offshore, and usually much farther offshore, 100 miles, even 200 miles and more.

Our failure to review and adjust these offshore drilling bans is now costing this country dearly. Every time you pay your utility bill or buy gasoline, remember that these prices would not be so high if Congress had simply used common-sense, years ago, to let us drill more offshore areas in an environmentally-responsible way. Instead of promoting safe ways to drill, we've totally banned that drilling in most of our offshore areas.

My amendment doesn't lift the ban immediately, but creates a way for us to plan ahead. It establishes a tipping point for ending the ban in the most promising area—the eastern Gulf of Mexico, saying that the ban will end if imports rise to two-thirds of the oil we use. We're at 58% today, and going up at the rate of 1% to 2% each year.

ENVIRONMENTAL SAFETY

People naturally ask, "Is this environmentally safe?" The answer is "Yes."

America has not had any major spill from an offshore oil well since 1969.

Why is this? It's not because we're not drilling offshore; it's because we have succeeded in protecting the environment while we drill. Oil and gas operations in the Outer Continental Shelf are among the most tightly regulated economic activity in the world.

Despite the moratoria that has closed many areas, America still produces almost one-third of its oil (30%) and almost one-fourth (23%) of its natural gas from offshore wells. There's a lot of coastal drilling, and it is safe drilling, and it would be just as safe to drill in the areas where it's being banned.

To drill offshore, you must obtain 17 major federal permits and obey 90 sets of federal regulations, all designed to protect the environment. Most of those went into effect in 1975, and they have been 99.999% effective in keeping the environment safe. That's because less than 1/1,000 of 1% of the oil produced offshore has been spilled. What other industry has a safety record like that—99.999%!

We also produce more from fewer offshore platforms, thanks to horizontal drilling that allows multiple wells to be drilled from a single platform. Technological advances during the past 30 years allow us to extract more resources with less impact on the environment.

And most of them are tiny—97% of the offshore spills are of less than one barrel of oil.

OCS BACKGROUND

The Outer Continental Shelf is composed of lands generally beyond the 3-mile area of state jurisdiction and 10-mile area of state jurisdiction in Florida and encompasses about 1.76 billion acres. About 25% of the oil and gas produced in the United States comes from the OCS. But there's a lot more potential than that. About 60% of America's remaining oil and 41% of our remaining gas resources are in the OCS.

The official estimate is that there are 76 billion barrels of oil and 406 trillion cubic feet of natural gas in the OCS. But we have placed about 90% of the areas offshore the lower 48 states off-limits, banning drilling in those areas. Imagine that—as Americans pay high prices, Congress says that 90% of this huge resource is off-limits, and drilling is banned. So we pay sky-high prices because we depend on foreign oil, and we ship hundreds of

thousands of jobs overseas, along with tens of billions of dollars each year.

Congress has restricted drilling in the OCS for over 30 years. During this time, the percentage of net imports of petroleum has risen from 28% to 58% today.

FOREIGN SOURCES

And what does it mean if we don't have those resources?

Domestic energy independence isn't just about the energy industry. It's about our national security. Currently, about 58% of our net petroleum imports came from foreign sources. During the past ten years, this percentage has risen by one percentage point on average each year. So ten years ago we imported about 48% and today it's about 58%. The Energy Information Administration predicts that by 2025, dependence on petroleum imports is projected to reach 68% of net imports.

ECONOMIC SECURITY

This not only affects our national security, it also affects our economic security. Last week, consumers were paying an average \$2.18 for a gallon of motor gasoline. That's a 62 cent a gallon increase in just five years!

Natural gas prices have been even more devastating for consumers. Residential prices have doubled in the past four years. Commercial and industrial prices have tripled. 90,000 jobs in the chemical industry have been lost along with \$50 billion of business because of natural gas prices in the U.S.

When we talk about the need for domestic energy production, or independence, it's not just about the energy industry. It's about all of us. If we want gasoline prices to stop skyrocketing we must act. If we want to stop losing manufacturing jobs, we must act.

We all know that China, India, and other countries' economies are expanding and their demand for oil and natural gas worldwide will continue to grow. As the demand for oil grows globally, the United States cannot be left behind by limiting its supply.

CONCLUSION

Why aren't we pursuing this offshore oil and gas? It's because this appropriations bill has several provisions banning offshore drilling. Not just one ban, but a whole series of them. And we've been including these bans in this bill for over 30 years.

This amendment would protect our national security. This amendment would only open up a portion of the Eastern Gulf of Mexico and only when the Energy Information Administration publishes data showing that more than two-third of net imports of crude oil come from foreign sources.

My amendment singles out only one of these many areas where drilling has been banned, namely the eastern Gulf of Mexico. That area is selected for two simple reasons: First, it has the largest oil and gas deposits. Second, it's the farthest offshore, away from the coastline and the beaches. In all cases more than 10 miles offshore, land in most cases more than 100 miles offshore. It is not in state waters. It is in federal waters.

Congress has restricted activity in the OCS for over 30 years. During this time, the percentage of net imports of petroleum has risen from 28% to 58% today. Our constituents all feel the pinch that higher energy prices bring to their budget.

Let's use common sense and create a plan to end the moratorium in an environmentally

sound way, as I've proposed in this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I continue to reserve my point of order, and I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, hard-working American families are paying a high price at the gas pump today because of our Nation's dependence upon foreign oil. Unless we get tough and show OPEC nations that Americans are serious about becoming less dependent upon their self-serving oil cartel, our working families and our Nation's economy will continue to be the victims of high energy costs. That is why I am supporting the Istook amendment.

Environmentally safe drilling for oil and natural gas in the Outer Continental Shelf in the eastern Gulf of Mexico would be possible under this amendment. This production could be done safely and cleanly. It does not require new technology. It is not some type of new experiment. The fact is that already Outer Continental Shelf production represents 30 percent of all U.S. domestic oil production and 23 percent of our natural gas production.

What OCS energy production does do is provide 42,000 Americans with good jobs and brings this \$6 billion a year to our U.S. Treasury. With more energy production that puts more Americans to work, we can send a clear message to the OPEC cartel that we are fed up with their cartel which is busting the budgets of America's working families.

It is time to say we are sick and tired of the OPEC tax which costs American families \$20 billion for every 25-cent increase in the price of gasoline. Tapping major oil and gas reserves in the eastern Gulf, something we are already doing off the Texas and Louisiana coasts, will create thousands of new American jobs, bring in billions of dollars to reduce the Federal deficit and our terrible trade deficit, and save working families money every time they go to the gasoline pump. That is a good deal and a smart deal for millions of hardworking American families.

By voting "yes" on the Istook amendment, we are voting "no" on the OPEC tax, which is hurting most those who can least afford it.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague from North Carolina for yielding time.

Mr. Chairman, I would like to first correct some statements that the gentleman from Oklahoma made in his arguments. He said that 40 percent of the OCS gas is unavailable to leasing. As he knows, Minerals Management Service conducts a survey every 5 years and the latest assessment of resources on the Outer Continental Shelf was done in the year 2003. It includes estimates

of undiscovered technically recoverable oil and natural gas. This assessment shows that 81 percent of the Nation's undiscovered technically recovered OCS gas is located in the central and western parts of the Gulf of Mexico where drilling is allowed.

□ 1515

And he also claims that it is such a safe industry. I would like to remind him, those of us who live on the central coast of California remember with an indelible mark the 1996 oil spill of platform A that devastated our economy and our environmental resources for decades. We are still living with some of the results of this.

This is an amendment in which the House had a vote just a few years ago, a similar kind of amendment in the 107th Congress. Seventy Republicans joined 176 Democrats to block oil and gas developments in the eastern Gulf of Mexico. A vote against this amendment will accomplish the same thing, a vote to protect the eastern Gulf of Mexico from new drilling. This amendment is the first step to drilling in areas now off limits, including North Carolina, New Jersey, California, and even the Great Lakes.

So we should reject this amendment and not weaken existing protections for our coastal waters. This amendment guts the longstanding bipartisan moratoria that currently protects our Nation's most sensitive coastal marine areas.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING).

(Mr. KING of Iowa asked and was given permission to revise and extend his remarks.)

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman for yielding me this time.

I point out that the U.S.-produced nitrogen fertilizer that American farmers have historically relied upon is being outsourced to foreign producers. Of the 16½ million tons of nitrogen fertilizer production capacity that existed in this country prior to the year 2000, nearly 20 percent has been closed permanently and there are another 4 million tons, 25 percent again at risk of closing within the next 2 years.

We have outsourced our nitrogen fertilizer protection to foreign countries like Venezuela and Russia, where they are subsidizing their natural gas. Here we refuse to develop our natural gas. And now we are faced with Chinese involvement in the Western hemisphere, who are involved in capital investment, and I know that there is drilling going on offshore for Cuba. I do not know if it is affected by this bill. But I know this: The gentleman from New Mexico (Mr. PEARCE) was right. It is not the question of whether we are going to drill for this oil. We will do it sometime. It is just a question of whether we do it before or after we lose the jobs, before or after we lose the production of this natural gas to foreign countries.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in opposition to the amendment and would like to again point out that this Congress has already taken a very significant step towards addressing the need for additional drilling for oil and gas in the Gulf of Mexico. We are currently drilling in the central and western Gulf. This Congress has passed additional financial incentives for deepwater drilling. This is an important step towards addressing the problem of supply.

This amendment goes much further than that and exposes areas for drilling just a few miles off the coast of Florida without any clear indication that there will be no risk to the beaches of Florida. This is very important to our economy. Many Members of Congress are rising today to defend the economy in their State. No one is going to stand on this floor and say that the beaches of Florida are not the most important part of our economy in addition to the work skills of our Floridians.

We do not want to take this risk. There is a very small proportion of supply available off the coast of Florida. There is an enormous proportion available in the central and western Gulf. This Congress has already acted. We provide additional financial incentives to get the supply where it is to be had.

I urge opposition to the amendment.

Mr. ISTOOK. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman from Oklahoma, my neighbor, for yielding me this time.

It is interesting that there is potential production of our natural resources that people oppose. This amendment only covers the eastern Gulf of Mexico. It only covers off the coast of Florida. Not California, not the northeast United States, even though there may be potential there. This is just the eastern Gulf of Mexico.

I just do not understand what is going to happen to our country if we continue to import more and more oil, and obviously we are having to import more and more natural gas. I do not know what the folks in California are going to do about energy. I know they have high prices. Get ready to have them even higher, unless we can start bringing production on line that is domestic production, and right now the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Texas's (Mr. EDWARDS) amendment is the best potential because off the western coast of Florida is some of the most productive potential for natural gas and oil fields.

I guess it is frustrating because off the nation of Cuba we have Chinese and Spanish companies that are drilling closer to Florida than U.S. companies

can drill close to Florida. So we have a foreign country who can drill closer to Florida. This only covers the eastern Gulf of Mexico, and that is why I think some people will say no to anything. And I do not know what is their solution. More windmills? I love windmills and we can do that. We need energy, no matter whether that comes from oil, natural gas, windmills, or anything else.

The United States produces some of the safest energy that we can. The nations of Norway, Denmark, Canada, Japan, and the United Kingdom are successfully producing oil and gas from their coastal waters, and yet we leave a great deal of ours except off of Texas, Louisiana, Alabama, Mississippi, and Alaska.

So, again, even though those beaches may be pristine, because I like the beaches in Texas and I consider them pristine, but we do not need to keep our head in the sand of those beaches and not realize we have to have more energy resources in our country.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, those who support this amendment should really look at solving the current energy crisis. If they wanted to, they would invest in renewable energy sources and energy efficiency and conservation. For example, providing tax incentives for the construction of energy efficient buildings and manufacturing energy efficient heating and water heating equipment could save 300 trillion cubic feet of natural gas over 50 years. This is more than 12 times the Department of Interior's mean estimate of economically recoverable gas outside the central and western Gulf of Mexico.

So why are we here today discussing offshore oil drilling instead of promoting efficient and renewable energy sources? It could be that we are pandering to big oil companies.

We not only have to worry about oil spills from offshore oil rigs, we also have to worry about the damaging way that they drill for oil and natural gas. An average of 180,000 gallons per well of drilling muds that are used to lubricate drill bits and maintain downhole pressure are dumped untreated back into the surrounding waters. Water brought up from a well along with oil and gas typically contains a variety of toxic pollutants.

I will vote against this amendment. I consider it dangerous and it is absolutely no solution to our gas and energy shortage.

Mr. ISTOOK. Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I am not an extreme environmentalist. I am a conservationist. And that is why

I find it difficult, most of the time on fighting some of the people who are speaking against this amendment, that I find myself allied with them on this particular issue.

Most of the time we quote studies. The first thing we do is see who did the study, who paid for it, and what is their agenda. The National Academy of Sciences is neither pro-business nor pro-environment. They are pro-science, and they are peer reviewed. The National Academy of Science: Gas and oil exploration will, not may, will, cause irreputable damage to the environment and to the economy off the coast of California.

I understand the gentleman from Texas. I trained with the Navy in Texas. Their beaches are not pristine like Florida and California. That is why all of their folks come to California for the good weather and the nice beaches, and we want to keep it that way. We want them to come back to California.

But I want to tell the Members something. The moratorium that we have had has protected the shorelines. During the gas debate, I talked about Batigitos Lagoon and our beaches. A lot of our economy is based on tourism. I heard, well, it is just the oil tankers leaking in Long Beach or it is seepage. It is not. The National Academy of Sciences said if we drill those new leases, then it is going to cause irreputable damage.

They have slant drilling, but when they have the technology to stop the damage, I will be along with them.

Nancy, my bride, and I walk along the beaches. That is what we do for fun with the kids. I have walked at Long Beach. And it took me 2 weeks to get the oil off of my Jack Russell terrier, and the bottom of our feet. We have to use kerosene. That is what we are trying to protect. And if they want to do something, I read where an oil company from the United States had a \$12 billion profit the first quarter. I am pro-business, but I am not for pro-rip-off, and that is what we ought to look at in the cost of gas.

Mr. ISTOOK. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I read the National Academy of Sciences' studies very differently. In fact, they say that two-thirds of the oil in the oceans is natural seepage and very little of it comes from the drilling that we are describing.

To those who say we never want to drill in these offshore areas, they should be honest with their constituents, and they should say "It is fine with us for you to pay the skyrocketing energy prices. It is fine with us to spend \$180 billion a year to bring most of our oil across the oceans overseas and bring it to America and send American jobs and American money over there in their place."

It is environmentally safe. We have made so many advances since people made these moratoria, and yet people

do not want to look at those. It is time we take an honest look at it. We should not say that these areas are off limits forever. As the oil import problem rises, we should be looking at drilling in these offshore areas.

The Acting CHAIRMAN (Mr. FOSSELLA). The time of the gentleman has expired.

POINT OF ORDER

Mr. TAYLOR of North Carolina. Mr. Chairman, I raise a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill, and we certainly would not want that. Therefore, it violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law . . ."

The amendment poses additional duties.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Hearing none, the Chair finds that this amendment includes language requiring a new determination. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

SEC. 106. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 107. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word.

For the purpose of engaging in a colloquy, I yield to the gentlewoman from South Dakota (Ms. HERSETH).

Ms. HERSETH. Mr. Chairman, I thank the gentleman from North Carolina (Chairman TAYLOR) for yielding to me to engage in a colloquy concerning a devastating event that recently occurred on the Crow Creek Reservation in my home State of South Dakota.

Mr. TAYLOR of North Carolina. Mr. Chairman, reclaiming my time, I would be happy to discuss this matter with the gentlewoman from South Dakota.

Ms. HERSETH. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentlewoman from South Dakota.

Ms. HERSETH. Mr. Chairman, in the middle of the night on April 24, a fire broke out in a school dormitory on the Crow Creek Reservation in Stephan,

South Dakota and did extensive damage to the structure. This dormitory on the campus of the Crow Creek Tribal School housed 230 of the students who attend that school, the only high school on the reservation.

□ 1530

Fortunately, even miraculously, no one was seriously injured in this fire.

School officials scrambled to find housing for the seniors who were attending the school at the time, but the students in the other grades could not be accommodated. For many of them, the school year simply ended unceremoniously on April 24.

The facility that burned also contained the kitchen and dining facilities for the school. The Crow Creek middle and high schools are now left without any dormitory, kitchen, or dining space for the more than 430 students enrolled there.

The needs that have been created by this tragic event are dire and immediate. I am asking the chairman to join me in urging officials at the Bureau of Indian Affairs to reprogram existing funds so school officials can immediately begin construction of adequate temporary dormitory facilities for the students at this school.

Mr. TAYLOR of North Carolina. Mr. Chairman, I am aware of the devastating fire that occurred on the Crow Creek Reservation. I agree with the gentlewoman that it is vital that the BIA begin construction of temporary facilities immediately so that they can be ready for the beginning of the school year this fall. Reprogramming requests for Crow Creek Tribal education facilities that come before this committee will be reviewed and approved as quickly as possible.

Ms. HERSETH. Mr. Chairman, it is my understanding that Congress has granted the BIA certain emergency authorities to reprogram funds from other accounts when situations such as this arise. I would certainly consider a devastating fire that threatened the educational mission of the only high school on an Indian reservation as a situation that would trigger BIA's emergency authorities.

The Office of Management and Budget may also seek to approve any BIA reprogramming requests to address these needs, and I ask the gentleman from North Carolina (Mr. TAYLOR) to join me in urging OMB to review these questions as quickly as possible. Does the gentleman agree with me on these points?

Mr. TAYLOR of North Carolina. Mr. Chairman, I certainly agree with the gentlewoman that this fire was unexpected and devastating to the school, and that that is precisely the type of event that would trigger the emergency authority of the BIA to reprogram funds, and I join the gentlewoman in urging the OMB to review these requests as soon as possible.

Ms. HERSETH. Mr. Chairman, I thank the gentleman for his recogni-

tion of the serious nature of the situation and for his willingness to work with me to address the very real needs of the children and students on the Crow Creek Indian Reservation.

The Acting CHAIRMAN (Mr. FOSSELLA.) The Clerk will read.

The Clerk read as follows:

SEC. 108. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities, except that total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

SEC. 109. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: *Provided*, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 110. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2006. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 111. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2006 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 112. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

SEC. 113. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 114. Funds provided in this Act for Federal land acquisition by the National Park Service for Shenandoah Valley Battlefields National Historic District and Ice Age National Scenic Trail may be used for a grant to a State, a local government, or any other land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 115. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 116. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 117. None of the funds in this or any other Act can be used to compensate the Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Norton litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 118. The Secretary of the Interior may use discretionary funds to pay private attorneys fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Norton to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Norton.

SEC. 119. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from Federally operated or Federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

SEC. 120. Such sums as may be necessary from "Departmental Management, Salaries and Expenses", may be transferred to "United States Fish and Wildlife Service, Resource Management" for operational needs at the Midway Atoll National Wildlife Refuge airport.

SEC. 121. (a) IN GENERAL.—Nothing in section 134 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (115 Stat. 443) affects the decision of the United States Court of Appeals for the 10th Circuit in *Sac and Fox Nation v. Norton*, 240 F.3d 1250 (2001).

(b) USE OF CERTAIN INDIAN LAND.—Nothing in this section permits the conduct of gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on land described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (114 Stat. 944), or land that is contiguous to that land, regardless of whether the land or contiguous land has been taken into trust by the Secretary of the Interior.

SEC. 122. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or imple-

ment any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 123. Notwithstanding the limitation in subparagraph (2)(B) of section 18(a) of the Indian Gaming Regulatory Act (25 U.S.C. 2717(a)), the total amount of all fees imposed by the National Indian Gaming Commission for fiscal year 2007 shall not exceed \$12,000,000.

SEC. 124. Notwithstanding any implementation of the Department of the Interior's trust reorganization or reengineering plans, or the implementation of the "To Be" Model, funds appropriated for fiscal year 2006 shall be available to the tribes within the California Tribal Trust Reform Consortium and to the Salt River Pima-Maricopa Indian Community, the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Chippewa Cree Tribe of the Rocky Boys Reservation through the same methodology as funds were distributed in fiscal year 2004. This Demonstration Project shall continue to operate separate and apart from the Department of the Interior's trust reform and reorganization and the Department shall not impose its trust management infrastructure upon or alter the existing trust resource management systems of the above referenced tribes having a self-governance compact and operating in accordance with the Tribal Self-Governance Program set forth in 25 U.S.C. 458aa–458hh: *Provided*, That the California Tribal Trust Reform Consortium and any other participating tribe agree to carry out their responsibilities under the same written and implemented fiduciary standards as those being carried by the Secretary of the Interior: *Provided further*, That they demonstrate to the satisfaction of the Secretary that they have the capability to do so: *Provided further*, That the Department shall provide funds to the tribes in an amount equal to that required by 25 U.S.C. 458cc(g)(3), including funds specifically or functionally related to the provision of trust services to the tribes or their members.

SEC. 125. Notwithstanding any provision of law, including 42 U.S.C. 4321 et. seq., non-renewable grazing permits authorized in the Jarbidge Field Office, Bureau of Land Management within the past 9 years, shall be renewed. The Animal Unit Months contained in the most recently expired nonrenewable grazing permit, authorized between March 1, 1997, and February 28, 2003, shall continue in effect under the renewed permit. Nothing in this section shall be deemed to extend the nonrenewable permits beyond the standard 1-year term.

SEC. 126. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

SEC. 127. Upon the request of the permittee for the Clark Mountain Allotment lands adjacent to the Mojave National Preserve, the Secretary shall also issue a special use permit for that portion of the grazing allotment located within the Preserve. The special use permit shall be issued with the same terms

and conditions as the most recently-issued permit for that allotment and the Secretary shall consider the permit to be one transferred in accordance with section 325 of Public Law 108–108.

SEC. 128. Notwithstanding any other provision of law, the National Park Service final winter use rules published in part VII of the Federal Register for November 10, 2004, 69 Fed. Reg. 65348 et seq., shall be in force and effect for the winter use season of 2005–2006 that commences on or about December 15, 2005.

SEC. 129. None of the funds in this Act may be used to compensate more than 34 full time equivalent employees in the Department's Office of Law Enforcement and Security. The total number of staff detailed from other offices and reimbursable staff may not exceed 8 at any given time.

TITLE II—ENVIRONMENTAL PROTECTION AGENCY SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$765,340,000 which shall remain available until September 30, 2007.

AMENDMENT NO. 4 OFFERED BY MR. TERRY

Mr. TERRY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. TERRY:

In the item relating to "ENVIRONMENTAL PROTECTION AGENCY—SCIENCE AND TECHNOLOGY", after the second dollar amount, insert the following: "(reduced by \$130,000,000)".

In the item relating to "ENVIRONMENTAL PROTECTION AGENCY—HAZARDOUS SUBSTANCE SUPERFUND", after the second dollar amount, insert the following: "(increased by \$130,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from Nebraska (Mr. TERRY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment increases the EPA's Superfund dollars by 10 percent over the amount in the underlying bill. This extra funding would help provide the cleanup of the Nation's worst hazardous waste sites.

I thank the gentlemen from North Carolina (Mr. TAYLOR) and Washington (Mr. DICKS) for the \$11 million Superfund increase in the committee-approved bill, but I believe more should be done.

My amendment provides Superfund with an additional \$130 million. This extra funding is offset from the EPA's Science and Technology Account which received \$765 million in the committee-approved bill.

My district is home to one of America's largest residential environmental cleanups. In early 2003, a large section of East Omaha, Nebraska was placed on the Superfund list after hundreds of children and thousands of yards tested positive for high lead levels. A nearby lead-refining plant, which operated from the early 1870s until 1997, is likely to blame for what HHS estimates to be as many as 1,600 children in eastern Omaha with harmful levels of lead there in their bodies.

Let me be clear. I support the philosophy of polluter pays. While I am encouraged that more than 70 percent of all Superfund sites are cleaned up by those responsible for the pollution; in some cases, such as in my district, Omaha, Nebraska, and in about 20 other States other than Nebraska, those who did the actual polluting are either insolvent or no longer in business.

More dollars in the national Superfund is the only hope for 86,000 Omaha residents, including 15,000 children who live within the Superfund designated area. Without adequate funds, this cleanup could take more than a decade. These children and these families should not wait that long.

But the same is true for the other 1,243 Superfund sites across this country. Nationwide, it is estimated that 11 million people, including 3 million to 4 million children, live within a mile of a hazardous Superfund site. All these Americans need assurances that sufficient resources will be dedicated to their cleanups.

Some will oppose the amendment. I expect the chairman of the subcommittee, my friend, the gentleman from North Carolina, to perhaps oppose this amendment. Now, while I support the EPA's Science and Technology Account, it is not my mission to destroy this fund, but simply create or state what the priorities should be, and that should be to clean up these hazardous areas in the fastest time possible to protect those families.

Make no mistake: the Superfund needs more than these additional funds. It also needs structural reform. Earlier this year, I introduced what would not only boost the Superfund by \$620 million over 5 years, but would also cap the Superfund's administrative costs at the 2002 fiscal level so that more Superfund dollars could be spent for actual cleanup. This is in response to a recent report by the EPA Inspector General revealing that the Superfund administrative expenses have increased \$37 million over the last 5 years, while actual Superfund cleanup expenditures have decreased by \$174 million.

Today, however, we must focus on the funding of this vital program. I

urge my colleagues, especially my colleagues who have Superfund sites in their districts, one of the 1,243 sites, to support this amendment. It is time we dedicate the resources necessary to protect our children by cleaning up the Nation's worst and pressing environmental and health risks in a timely fashion.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

The amendment would increase funding for the Superfund program at the expense of EPA's research program funded under the Science and Technology Account.

I note that the Superfund program received an \$8 million increase over the 2005 level under the committee's recommendations, while the total amount for EPA is \$348 million below the 2005 level, so the Superfund site received much better treatment than most of our programs. The bill as a whole is more than \$800 million below the 2005 level.

Now, we have received many requests from Members of Congress asking that we fund programs for EPA's research, and we are able to do so only to a limited extent, and many people want the science and technology area just as well. A cut of the \$130 million in science and technology would decimate the program's restorations. These research programs provide critical support to all other EPA programs, including the Superfund program.

The Superfund program was treated the same as the Science and Technology Account in that limited increases were provided for proposed initiatives associated with homeland security. The committee bill balances the many competing needs of the EPA within a constrained allocation. And while I understand the gentleman's concern, given the funding we have already done and the limited funding we have totally, I cannot accept the gentleman's amendment. I urge a "no" vote on this amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I rise in opposition to the gentleman's amendment. In general, I do think we should fund the Superfund cleanup program at levels higher than what is contained in this bill. However, the budget allocation that we are dealing with today prohibits us from agreeing to the gentleman's proposal to increase Superfund by a whopping \$130 million at the expense of the EPA's science and technology programs, which he uses as an offset.

This bill provides Superfund with \$1.26 billion for 2006, which is an \$11 million increase over this year's funding level. I understand that there are transfers contained in this bill from the Superfund program to EPA science

and technology research and to the EPA Inspector General's Office, but these transfers are for Superfund-related activities.

I urge a "no" vote on this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I certainly respect my friends from Washington and North Carolina, and I understand the delicacy of the numbers which have been assigned to these respective programs.

I stand here for the families that are affected in these, or next to these, Superfund sites, including the constituents in my district and their children, the 1,600 children estimated to have high levels of lead in their bloodstreams, creating immediate risk and health risks to them. Immediate, now.

The fund, the science and technology fund, does provide a great service to America, including the \$60 million worth of earmarks to a lot of our universities, as well as paying the salaries for 2,513 bureaucrats within this agency.

□ 1545

My thought is that perhaps for this one time we can just slide a little bit of their \$765 million budget to the more immediate and pressing health issues facing constituents, our constituents, and American families, and that is what I am here asking.

I understand the delicacy of balancing these type of numbers in this type of bill. So I do ask that my colleagues, for the sake of these families that have immediate health risks, that we increase the number of dollars by \$130 million to begin cleanup or continue at a faster pace the cleanups that have already begun in those areas.

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, may I inquire if there are other speakers?

The Acting CHAIRMAN (Mr. FOSSELLA). The gentleman from Nebraska (Mr. TERRY) has yielded back.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska (Mr. TERRY).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. TERRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Nebraska (Mr. TERRY) will be postponed.

The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related

costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project; and not to exceed \$9,000 for official reception and representation expenses, \$2,389,491,000, which shall remain available until September 30, 2007, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

AMENDMENT OFFERED NO. 17 BY MR. GRIJALVA

Mr. GRIJALVA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. GRIJALVA:

Page 64, line 17, after the dollar amount, insert the following: "(increased by \$1,903,000) (decreased by \$1,903,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment that shifts funding within the EPA environmental program and management account.

Although the rules of the House prevent me from specifying in the amendment where the funding will go, it is my intention to restore funding for EPA's environmental justice program.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. GRIJALVA. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, we would accept the gentleman's amendment.

Mr. GRIJALVA. Mr. Chairman, I want to thank the chairman and the ranking member.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was agreed to.

The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$37,955,000 to remain available until September 30, 2007.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$40,218,000 to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project; \$1,258,333,000, to remain available until expended, consisting of such sums as are available in the Trust Fund upon the date of enactment of this Act as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$1,258,333,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, \$13,536,000 shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 2007, and \$30,606,000 shall be transferred to the "Science and technology" appropriation to remain available until September 30, 2007.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, \$73,027,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$15,863,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

On page 66 after line 20, insert the following new section:

CLEAN WATER STATE REVOLVING FUND (INCLUDING REVENUE OFFSETS)

In addition to amounts otherwise made available in this Act, \$500,000,000 shall be available for making capitalization grants for the Clean Water State Revolving Fund under title IV of the Federal Water Pollution Control Act, as amended: *Provided*, that, notwithstanding provisions of the Economic Growth and Tax Relief Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003, in the case of taxpayers with adjusted gross income in excess of \$1,000,000 for calendar year 2006, the amount of tax reduction resulting from such acts shall be reduced by 1.562 percent.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the

gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. TAYLOR of North Carolina. Mr. Chairman, I would like to reserve a point of order.

The Acting CHAIRMAN. The gentleman from North Carolina reserves a point of order.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, several weeks ago this House chose to make \$140,000 tax cuts for persons who make more than a million dollars a year a higher priority than dealing with the \$300 billion-plus backlog that our States and communities have in dealing with their sewer and water problems.

When I came to this Congress, the population of this country was 203 million people and our principal program to attack the lack of clean water was a multi-billion dollar grant program to local communities.

Today, our population is 35 percent higher, and yet we have moved principally to a loan program to our local communities represented by the Clean Water Revolving Fund.

And yet, despite that huge population increase, that huge increase in demand, the committee has chosen to cut this key program by 40 percent over a 2-year period. I am simply asking this House to reconsider its earlier priority decision. I am asking them to approve an amendment that will scale back that \$140,000 tax cut to \$138,000.

What do we do with that money? Do we expand the clean water program? No. All we are trying to do is to bring it back to the level that it was at 2 years ago before we went on this cutting binge. I know that this amendment is subject to a point of order, because the Rules Committee chose not to protect it.

I would hope, however, that no Member of the House would lodge that point of order. If they do not, we would be able to make these priorities change and send it on to the Senate. It seems to me that if you ask any man or woman on the street in this country whether they think it is more important to provide a \$140,000 tax cut for the most fortunate 1 percent of people in this country or whether they would be willing to settle for a \$138,000 tax cut so we have enough money in the budget to clean up our dirty water for our local communities, they would certainly choose the latter.

I am tired of reading headlines in newspapers like the Milwaukee Journal, for instance, reporting on the cryptosporidium outbreak in Milwaukee because of a bad sewer and water system. I am tired of seeing communities dump their overflow sewage into Lake Michigan or Lake Superior or any other lake in this country every time they have a storm.

It is about time that we make mature choices, and I think this amendment is an effort to push the Congress into making one.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. TAYLOR of North Carolina. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill, and therefore violates clause 2, rule XXI.

The rule states, in pertinent part, an amendment to a general appropriations bill shall not be in order in changing existing law, the amendment modifies existing powers and duties.

I ask for a ruling from the Chair.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. OBEY. Yes, I do, Mr. Chairman.

Mr. Chairman, the purpose of the Budget Act was to force the Congress to make tough trade-off choices, by making trade-offs between individual programs on the spending side and by making trade-offs between revenue levels and spending levels.

The problem with the way the budget process is being approached these days is that instead of forcing Congress to look at those trade-offs clearly, the process has been fragmented so that spending decisions occur at one point in the year, revenue decisions occur at another, and the public is therefore never aware of the connection that exists between the two.

Unfortunately, because that is the way the majority has proceeded it means that this amendment is subject to a point of order if any Member chooses to make one, and so I very regretfully concede the point of order.

The Acting CHAIRMAN. The point of order is conceded and sustained.

The Clerk will read.

The Clerk read as follows:

STATE AND TRIBAL ASSISTANCE GRANTS
(INCLUDING RESCISSIONS OF FUNDS)

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$3,127,800,000, to remain available until expended, of which \$750,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"), of which up to \$50,000,000 shall be available for loans, including interest free loans as authorized by 33 U.S.C. 1383(d)(1)(A), to municipal, intermunicipal, interstate, or State agencies or nonprofit entities for projects that provide treatment for or that minimize sewage or stormwater discharges using one or more approaches which include, but are not limited to, decentralized or distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers, or wetlands restoration; \$850,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking

water contaminants; \$50,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; \$15,000,000 shall be for grants to the State of Alaska to address drinking water and waste infrastructure needs of rural and Alaska Native Villages; \$200,000,000 shall be for making grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection ("special project grants") in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 45 percent of the cost of the project unless the grantee is approved for a waiver by the Agency; \$95,500,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; \$4,000,000 shall be for a grant to Puerto Rico for drinking water infrastructure improvements to the Metropolitan community water system in San Juan; \$10,000,000 for cost-shared grants for school bus retrofit and replacement projects that reduce diesel emissions: *Provided*, That beginning in fiscal year 2006 and thereafter, the Administrator is authorized to make such grants, subject to terms and conditions as the Administrator shall establish, to State, tribal, and local governmental entities responsible for providing school bus services to one or more school districts; and \$1,153,300,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities of which and subject to terms and conditions specified by the Administrator, of which \$52,000,000 shall be for carrying out section 128 of CERCLA, as amended, and \$20,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, and \$15,000,000 shall be for making competitive targeted watershed grants: *Provided further*, That for fiscal year 2006, State authority under section 302(a) of Public Law 104-182 shall remain in effect: *Provided further*, That notwithstanding section 603(d)(7) of the Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2006 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2006, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act: *Provided further*, That for fiscal year 2006, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds

appropriated for State Revolving Funds under title VI of that Act may be reserved by the Administrator for grants under section 518(c) of that Act: *Provided further*, That no funds provided by this legislation to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: *Provided further*, That, notwithstanding any other provision of law, such funds that were appropriated under this heading for special project grants in fiscal year 2000 or before and for which the Agency has not received an application and issued a grant by September 30, 2006, shall be made available to the Clean Water or Drinking Water Revolving Fund, as appropriate, for the State in which the special project grant recipient is located: *Provided further*, That excess funds remaining after completion of a special project grant shall be made available to the Clean Water or Drinking Water Revolving Fund, as appropriate, for the State in which the special project grant recipient is located: *Provided further*, That in the event that a special project is determined by the Agency to be ineligible for a grant, the funds for that project shall be made available to the Clean Water or Drinking Water Revolving Fund, as appropriate, for the State in which the special project grant recipient is located: *Provided further*, That, notwithstanding any other provision of law, heretofore and hereafter, after consultation with the House and Senate Committees on Appropriations and for the purpose of making technical corrections, the Administrator is authorized to award grants under this heading to entities and for purposes other than those listed in the joint explanatory statements of the managers accompanying the Agency's appropriations Acts for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection.

POINTS OF ORDER

Mr. GILLMOR. Mr. Chairman, I rise to make a point of order.

The Acting CHAIRMAN. The gentleman will state his point of order.

Mr. GILLMOR. Mr. Chairman, I make a point of order to the language beginning with quote, except that notwithstanding section 1452(n) on page 67, line 17 through water contaminants on line 22, violates clause 2 of rule XXI of the rules of the House of Representatives prohibiting legislation on appropriation bills.

The language that I have cited says that notwithstanding the provisions of the Safe Drinking Water Act none of the money in the fiscal year 2005 Department of Interior appropriations bill or even previous appropriations acts may be reserved by the EPA Administrator for health effects studies on drinking water contaminants.

This language clearly constitutes legislating on an appropriations bill, and as such, violates clause 2 of rule XXI.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order? If not the Chair will rule.

The Chair finds that the provision explicitly supersedes existing law. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the provision is stricken from the bill.

Mr. GILLMOR. Mr. Chairman, I have two more points of order.

The Acting CHAIRMAN. The gentleman will state his point of order.

Mr. GILLMOR. Mr. Chairman, I make a point of order to the language beginning with, that beginning in fiscal year 2006 on page 68 line 23, through school districts on page 69 line 3 violates clause 2 of rule XXI of the rules of the House of Representatives prohibiting legislation on appropriation bills.

The language that I have cited authorizes the Administrator of the EPA to set terms and conditions for grants concerning the retrofitting and replacement of diesel engines in school bus services that contract with communities.

This language clearly constitutes legislating on an appropriations bill, and as such violates clause 2 of rule XXI.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Hearing none, the Chair will rule.

The Chair finds that this provision includes language conferring authority. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the provision is stricken from the bill.

Mr. GILLMOR. Point of order, Mr. Chairman.

The Acting CHAIRMAN. The gentleman will state his point of order.

Mr. GILLMOR. Mr. Chairman, I make a point of order that the language beginning with, quote, that for fiscal year 2006 on page 69, line 19 through "further" on line 22 violates clause 2 of rule XXI of the House of Representatives prohibiting legislation on appropriations bills.

The language that I have cited provides for State authority to remain in effect under section 302(a) of Public Law 104-182 allowing States to swap a portion of their drinking water and waste water trust funds between accounts.

This language clearly constitutes legislating on an appropriations bill and as such violates clause 2 of rule XXI.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order? Hearing none the Chair will rule.

The Chair finds that this provision includes language conferring authority. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The provision is stricken from the bill.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

1. On page 67, line 1 with respect to the funding level for the Clean Water State Revolving Fund, strike the figure \$750,000,000 and insert \$850,000,000.

2. On page 68, line 5 strike the figure \$200,000,000 and insert \$100,000,000:

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from North Carolina (Mr. TAYLOR) each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, unlike the previous amendment, which I would have preferred, this amendment is not subject to a point of order. And let me explain what it does.

This amendment simply eliminates one-half of the cut that the committee recommendation would make in the Clean Water Revolving Fund, and pays for it by taking \$100 million out of STAG grants.

Now, I know everyone in this House likes STAG grants. I like them myself. The problem is that if you take a look at last year's committee report, for instance, you will find over 10 pages listing hundreds of individual tiny grants, \$75,000, \$100,000, \$125,000 a piece, tiny little grants to communities all over the country to supposedly help them pay for their sewer and water problems.

□ 1600

The problem is that we are fooling ourselves because those STAG grants are being paid for by reductions in the basic loan program that we use to assist communities all over the country deal with the same problem.

What it means is that each Member is able to go home and dangle a little grant that we have gotten for our district—and I have done it myself, I will get whatever money I can for my district—but we go home and dangle that tiny little bit of money when, in fact, what we need is to have a major increase in the loan program that every community in this country applies for from time to time.

The fact is that the Clean Water State Revolving Fund is the crucial program for helping local communities with sewage treatment plants infrastructure. It is a keystone of the Clean Water Act; and yet this committee is recommending with the cut in the bill this year that we effectively cut this program by 40 percent over 2 years. It was already cut 19 percent last year. I think that is a terrible, terrible decision to make.

Our communities have more than \$300 billion in backlog requirements to clean up their sewer and water systems. There are communities in my

district that right now are having difficulty, for instance, even allowing the Park Service to attach its new headquarters to the sewage system in one of the cities in my district because that system is so out of compliance that the State Department of Natural Resources is urging that they hook up no further users.

We have seen, as I said earlier, stories of overflow, sewage overflow every time there is a huge storm. In the Milwaukee Journal, there was a picture of a huge sewage plume in Lake Michigan after heavy storms just last year.

We are being incredibly negligent if we do not add money to this fund, rather than cut it; and yet today, because of the budget resolution, we are prevented from adding money. We would at least like to reduce the size of the cut by 50 percent, by moving money over from the STAG grant program.

As I say, I have nothing against the STAG grant program, but if you fund STAG grants by cutting your basic loan program, you are literally robbing Peter to pay Peter, and I think that makes no sense whatsoever.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

The amendment would increase the Clean Water State Revolving Fund by \$100 million and cut special project grants under the State and Tribal Assistance programs by \$100 million.

The committee's recommendation for the Clean Water State Revolving Fund is identical to the level in the House bill for this program in fiscal year 2005.

Almost every Member of Congress wrote to the subcommittee requesting one or more STAG projects. These projects are often the only recourse for rural communities that, for whatever reason, are unable to qualify for a loan under the Clean Water or Drinking Water revolving funds.

I admire the gentleman from Wisconsin's (Mr. OBEY) willingness to sacrifice special STAG projects to increase the Clean Water Fund. The Committee has a very difficult time in making these decisions. I do not believe it is an appropriate approach, given that these projects address critical infrastructure needs that otherwise might never be addressed, and I urge a "no" vote on this amendment.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN (Mr. McHUGH). The gentleman from Wisconsin (Mr. OBEY) has 6 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, this is one of the tougher issues in our bill. I feel that we are inadequately funding the State revolving grants, and this program goes out to each of the States and they are able to make loans to the local communities at low interest rates

in order to fund projects that are crucially important.

I know in my own district I have got cities like Shelton and Hoodspott, Belfair, Tacoma, all of which depend on this source of funding. STAG grants are important, and I support the program.

I wish we could do more in both areas. It is just unfortunate that, unlike when EPA was first created, we had 3 or \$4 billion of funding for grants at a 90-10 Federal match; and yet we moved away from those programs. I do not believe we are funding this adequately. This means less money to the States and then less money goes out to the communities. I hope that as we go further in the process we can find a way to help correct this problem.

The gentleman from Wisconsin (Mr. OBEY) has his approach, which I am supporting; and I think this is one of the jobs that appropriators have to do. We have to make difficult choices, and this is a very difficult choice; but I think it is the correct one.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, how much time do I have left?

The Acting CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 4½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I want to thank the gentleman from Wisconsin (Mr. OBEY), my friend, for allowing me this time.

The purpose of these amendments, this one and the one previous to it, in part at least, is to demonstrate how misaligned the priorities of this Congress have become and how far we have devolved, how we have regressed from a period in the 1970s when the Clean Water Act was passed and this Congress demonstrated its concern and understanding of the environmental needs of our Nation.

In the last 3 years, this fund has been cut by almost 50 percent; and prior to those 3 years, it had been cut previously, leaving the States with little or no money to deal with the issue of clean water.

Thirty years ago, we recognized that the waters of this country should be swimmable, fishable and drinkable. The waters of this country are becoming less so in each of those three categories as a result of the mismanagement of funding by this Congress, by the devolution of our philosophy in this Congress, and by the priorities set by the leadership of this Congress.

People in this country are experiencing conditions that are less safe, less secure, and less healthy as a result of the mismanagement of the people's funds. My colleagues are more concerned with cutting taxes for millionaires than providing safety and security and good drinking water for the American people. These priorities must change.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

I would repeat, the special grants program under STAG would be cut by \$100 million under this amendment. As I mentioned, these projects are often the only recourse for rural communities that, for whatever reason, are unable to qualify for a loan under the Clean Water or Drinking Water state revolving funds.

It is a difficult decision in our bill in allocating money. The STAG grants are one way that we can answer the needs made by their representatives who are elected to this Congress. To oppose this, I think, is taking away the right of the membership to look in their districts for those needs which maybe go beyond the official needs, and I oppose this amendment and hope everyone else will also.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 3 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, I do not in any way criticize the subcommittee chairman for decisions he has made. The problem does not lie with his decisions. The problem lies with the budget resolution which imposes those decisions on him.

I certainly understand Members asking for STAG grants if that is their only access, and I have no objection to that, but my objection is simply this: the budget resolution, which the majority party voted for, decided that it was so important to provide tax cuts of \$140,000 a year to people who make over a million bucks that they are willing to cut back the basic program that helps communities deal with their sewer and water problems by 40 percent over a 2-year period.

Then what they do after they have imposed those kind of cuts on this program, then they go to the STAG program. They get a tiny little \$100,000 or \$150,000 program for their districts. They go to their districts, they say, "Oh, look, what a good boy am I, look what a friend I am for clean water." Meanwhile, the votes that they have cast on the budget resolution have gutted the ability of this Congress to provide meaningful help to communities who need real help on sewer and water.

I think we are sort of chasing our tail; and so, as the gentleman from Washington (Mr. DICKS) says, this is a very difficult priorities choice, and I do not fault the gentleman from North Carolina at all for the choice he has made. I think we have an obligation to try to put some more money back into the basic program first. That is what the amendment tries to do, and I would urge a "yes" vote.

Mr. LEVIN. Mr. Chairman, I rise in strong support of the Obey amendment. Three weeks ago, by a bare three-vote margin, the House

of Representatives approved the Republican budget. Today, we're dealing with the consequences of that vote and the majority's misguided priorities. The budget that was agreed to contained more than \$100 billion in additional cuts—the vast majority of which disproportionately benefit the very richest individuals in this country. At the same time, the budget calls for billions of dollars in spending cuts, nearly all of which were not specified.

Well, the chickens have come home to roost. The bill before the House contains a \$241 million cut in Clean Water funding, a reduction of 22 percent. This cut comes on top of the Clean Water funding reductions that were approved last year.

There was a time during the 1970s and 1980s when the Federal Government provided most of the funding to upgrade water treatment plants and improve sewer infrastructure around this country. Today, there is really only one Federal program left to help communities improve sewer infrastructure to keep pollution out of our lakes, rivers and streams, and that's the Clean Water State Revolving Loan Program.

Let me tell you what this program has done in my district. In the mid-1990s, fourteen communities in my district were confronted with the difficult necessity of upgrading the Twelve Towns Drain. The problem was that whenever there was a significant storm in Southeastern Michigan, the Drain would quickly overflow and spill millions of gallons of partially treated sewage into the Clinton River. The result was deteriorating water quality in the Clinton River and beach closures at the River's terminus in Lake St. Clair.

The solution was to expand the retention basin to prevent the sewage overflows, but the cost was enormous: \$130 million.

The Twelve Towns Drain improvements could not have been accomplished without the Clean Water State Revolving Fund. The communities involved with this project borrowed more than \$100 million from the revolving fund. Giving these communities the ability to borrow the needed money at below-market interest rates is the least the Federal government could do, and that's what the State Revolving Fund makes possible. Thanks to the Revolving Loan Program, this massive water infrastructure effort will be completed later this year. This is an example of the kind of water quality work that will be sacrificed unless we approve this amendment.

Earlier this week, I received a letter from the Director of the Michigan Department on Environmental Quality. This is what he says: "Discharges from aging and failing sewerage systems, urban storm water, and other sources continue to pose serious threats to Michigan's lakes, rivers, and estuaries, endangering our public health, tourism, and recreation areas." He goes on to say that the proposed State Revolving Fund cuts "will likely severely impede the amount of water infrastructure projects that can be funded in the state of Michigan."

There isn't a Member of this House who supports polluted waterways or beach closures, but there is a chasm between rhetoric and reality when it comes to providing the needed resources. If this Congress wants to be on the side of rivers, lakes and streams that are drinkable, swimmable and fishable, it's time to put your money where your mouth is. Vote for the Obey amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Again, I say this is a very difficult choice to make, and the committee has tried to be as bipartisan as possible.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) will be postponed.

AMENDMENT OFFERED BY MR. GILLMOR

Mr. GILLMOR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILLMOR:

Page 71, line 21, strike "Provided" and all that follows through page 72, line 6, and insert the following:

Provided further, That notwithstanding this or previous appropriations Acts, after consultation with the House and Senate Committees on Appropriations and for the purposes of making technical corrections, the Administrator is authorized to award grants to entities under this heading for purposes other than those listed in the joint explanatory statements of the managers accompanying the Agency's appropriations Acts for the construction of drinking water, waste water and storm water infrastructure, and for water quality protection.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. GILLMOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. GILLMOR).

Mr. GILLMOR. Mr. Chairman, I yield myself such time as I may consume.

I am offering this amendment today to clarify some language in the bill that is under the jurisdiction of the Committee on Energy and Commerce. It is a good amendment that I hope we can adopt today.

As part of the debate on this amendment, I would like to engage in a colloquy with the gentleman from North Carolina (Mr. TAYLOR), the chairman of the Subcommittee on the Interior, Environment and Related Agencies of the Committee on Appropriations.

First, however, let me thank the gentleman from North Carolina (Chairman Taylor) for his patience and express my appreciation both to him and to his staff for the fair way that they have worked with me and my staff to remove authorizing provisions in the appropriations bill, which are under the jurisdiction of the Committee on Energy and Commerce.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. GILLMOR. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I am pleased to work with the authorizing committee chairman.

I want to assure the chairman that I will work to remove or modify objectionable provisions under his jurisdiction as we move the bill into conference.

Mr. GILLMOR. Mr. Chairman, I thank the gentleman for this, and I also note that the amendment I am offering today represents a compromise on a provision dealing with corrections to the State and Tribal grants technical correction authority to make it clear that it applies solely to earmarked grants in the conference agreement that are incorporated by reference in the appropriations bill and that the authority does not apply to future appropriations.

□ 1615

I understand the chairman's need for language that allows him to conduct some technical housekeeping of some grant provisions in predecessor spending bills. I look forward to further discussions with him regarding the terms "for other purposes" to ensure that this language is clearly and narrowly understood as applying to corrections that are technical in nature and not broadly defined to include changes in policy.

Mr. TAYLOR of North Carolina. Mr. Chairman, if the gentleman will continue to yield, I have reviewed the gentleman's amendment and am willing to accept it. I have already notified the Senate of the changes we agreed upon with respect to the "special projects" correction authority, and I look forward to working with the gentleman as the bill moves forward this year and on future appropriation bills.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. GILLMOR. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to commend the gentleman. I think it is a good amendment and concur with our chairman that we should accept it.

Mr. GILLMOR. Mr. Chairman, reclaiming my time, I thank the chairman and the ranking member for their cooperation and support and I urge passage of the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. MCHUGH). The question is on the amendment offered by the gentleman from Ohio (Mr. GILLMOR).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 68, line 14, insert "(increased by \$2,000,000)" after "\$95,500,000".

Page 69, line 4, insert "(reduced by \$2,000,000)" after "\$1,153,300,000".

Page 69, line 14, insert "(reduced by \$2,000,000)" after "\$52,000,000".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON of Texas).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment will provide an additional \$2 million for brownfield assessments and cleanups, while fully funding grants for States to administer their voluntary cleanup programs.

The assessment and cleanup of brownfields are critical to the economic and environmental health of communities across the Nation. Brownfields represent lost opportunity where they exist.

In 2002, President Bush signed the Small Business Liability Relief and Brownfields Revitalization Act. That bill authorized \$200 million annually in Federal assistance to States and local communities to assess brownfield sites and to conduct cleanup where the assessment indicated that cleanup was warranted. The law also authorized \$50 million annually in grants to States to assist States in implementing voluntary cleanup programs.

The committees that wrote this legislation, the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce, following years of hearings, discussions and considerations, determined an assessment on cleanup of brownfields required at least \$200 million annually and that State voluntary cleanup programs should be supported at \$50 million annually.

The bill before the House provides \$52 million for the State programs and only \$95.5 million for assessment and cleanups. My amendment simply transfers this unauthorized \$2 million in grants to the State bureaucracies to the actual assessment and cleanup of brownfield sites, and I believe that it will be more useful to do that.

When the President signed the Brownfields Revitalization Act in 2002, it represented the centerpiece of the administration's environmental agenda. It was widely praised and received broad bipartisan support. According to the Government Accountability Office, there are well over 500,000 brownfields across the country.

These abandoned and underused sites represent a blight to neighborhoods, pose health and safety threats, and create a drain on economic activity. Brownfield grants generate economic returns in excess of five to one.

The City of Dallas, which I represent, one of the first cities designated as a

Brownfield Showcase Community by the Environmental Protection Agency, has used assessment and remediation grant programs to redevelop 35 sites in the core of the city.

A Federal investment of less than \$2 million has leveraged more than \$370 million in private investment and created or helped to retain close to 3,000 permanent full-time jobs. Over 1,600 units of housing, including 134 units of affordable housing, have been developed on former brownfield sites. The program has brought new vitality to long distressed portions of the city, boosting the tax base and bringing important economic opportunities to the neighborhoods.

Unfortunately, this bill, and the administration budget request it represents, prefers to fund more State bureaucracy rather than more actual cleanup and economic redevelopment. Mr. Chairman, the inadequate funding level for cleanup that was in the President's budget is just another example of the administration touting authorization legislation and failing to follow through with the actual funding.

According to the Conference of Mayors, EPA regularly turns away about two-thirds of the applicants for brownfield assistance because of the lack of available funds. So I urge my colleagues to support the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to claim the time in opposition to the amendment, and I yield 1 minute to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Chairman, I rise in support of the gentlewoman's amendment, and I thank the gentleman from North Carolina for yielding me this time.

This amendment will provide more funding for brownfield site assessments and cleanup and bring the appropriation for State voluntary cleanup programs in line with the level authorized by the Small Business Liability Relief and Brownfields Revitalization Act.

This Brownfields Revitalization Act was legislation which came through our Subcommittee on Water Resources and Environment, which I have the privilege to chair and on which the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) serves as the ranking minority member, and the Congress passed this legislation in 2002.

Brownfields cleanup and redevelopment are very important to our communities and the economy. There are hundreds of thousands of brownfield sites around the Nation waiting to be cleaned up. We need to continue directing funds toward cleaning up and revitalizing these sites by fully funding State voluntary cleanup programs.

The gentlewoman's amendment helps accomplish this goal, and I urge all Members to support this amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume simply to say that with such persuasive statements from the gentlewoman and the gentleman from Tennessee, I have no objection to this amendment.

Mr. OBERSTAR. Mr. Chairman, I support the amendment offered by Ms. JOHNSON of Texas, the Ranking Democrat of the Subcommittee on Water Resources and Environment of the Committee on Transportation and Infrastructure. The amendment moves \$2 million from grants for state administrative expenses to grants for communities to conduct actual cleanup of contaminated brownfields.

The Bush administration has called the federal brownfields program, enacted by the Committee on Transportation and Infrastructure in 2001, "one of the administration's top priorities and a key to restoring contaminated sites to productive use." Yet, despite this praise, the administration's budget requests for the cleanup of brownfields demonstrate its lack of commitment to the cleanups necessary to reduce the risks to human health and the environment.

In fiscal year 2006, the administration requested \$210 million for Environmental Protection Agency's brownfields program; however, of this amount, approximately 45 percent, or \$90 million, is earmarked for Federal and state bureaucrats to manage the program. That leaves only \$120 million of a \$210 million request devoted to actual cleanups—shovels in the ground—and this bill further reduces that amount by about 20%.

Since 2001, the Bush administration has consistently requested far less than the fully-authorized levels for assessment and cleanups, yet attempts to take credit for fully-funding the brownfields program.

While the budgetary constraints of the House Republican Leadership prevent us from fully-funding brownfields cleanups, the amendment offered by the gentlewoman from Texas, Ms. JOHNSON, shifts dollars away from the management of the program to actual cleanups.

The amendment reduces, by \$2 million, the amount appropriated for State Response programs under section 128 of the Superfund law to \$50 million, the total authorized level of funding for these programs.

The amendment adds \$2 million to the site assessment and cleanup portion of the brownfields program, raising this level from \$95.5 million to \$97.5 million. Under current law, the brownfields sites assessment and cleanup program is authorized at \$200 million annually by section 104(k) of the Superfund law, so even this increase leaves the program at less than 50 percent of its authorized funding level.

Mr. Chairman, the brownfields program is critical for the restoration and reuse of the legacies of this Nation's industrial era, many of which have plagued our cities and communities for decades.

In this time of scarce Federal resources, it is important that we devote what limited dollars are available to actually accomplishing what the brownfields program set out to do over five years ago—redeveloping the underused and abandoned brownfields across this country.

I strongly support the amendment offered by Ms. JOHNSON, and urge my colleagues to vote "aye."

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For an additional amount for the Clean Water State Revolving Fund, \$100,000,000 shall be made available from the rescissions of multi-year and no-year funding, previously appropriated to the Environmental Protection Agency, the availability of which under the original appropriation accounts has not expired, and \$100,000,000 in such funding is hereby rescinded: *Provided*, That such rescissions shall be taken solely from amounts associated with grants, contracts, and interagency agreements whose availability under the original period for obligation for such grant, contract, or interagency agreement has expired based on the April 2005 review by the Government Accountability Office.

ADMINISTRATIVE PROVISIONS

For fiscal year 2006, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by subsection (f)(2) of the Pesticide Registration Improvement Act of 2003), as amended.

Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), appropriated funds for fiscal year 2006 may be used to award grants or loans under section 104(k) of CERCLA to eligible entities that satisfy all of the elements set forth in CERCLA section 101(40) to qualify as a bona fide prospective purchaser except that the date of acquisition of the property was prior to the date of enactment of the Small Business Liability Relief and Brownfield Revitalization Act of 2001.

For fiscal years 2006 through 2011, the Administrator may, after consultation with the Office of Personnel Management, make not to exceed five appointments in any fiscal year under the authority provided in 42 U.S.C. 209 for the Office of Research and Development.

TITLE III—RELATED AGENCIES DEPARTMENT OF AGRICULTURE FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$285,000,000, to remain available until expended: *Provided*, That of the funds provided, \$62,100,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and

others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, \$254,875,000, to remain available until expended, as authorized by law of which \$25,000,000 is to be derived from the Land and Water Conservation Fund: *Provided*, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the Forest Service notifies the House Committee on Appropriations and the Senate Committee on Appropriations, in writing, of specific contractual and grant details including the non-Federal cost share: *Provided further*, That of the funds provided herein, \$1,000,000 shall be provided to Custer County, Idaho for economic development in accordance with the Central Idaho Economic Development and Recreation Act, subject to authorization.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, \$1,423,920,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601-6a(i)): *Provided*, That unobligated balances under this heading available at the start of fiscal year 2006 shall be displayed by budget line item in the fiscal year 2007 budget justification.

WILDLAND FIRE MANAGEMENT (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, \$1,790,506,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2005 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576 et seq.): *Provided further*, That, notwithstanding any other provision of law, \$8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available for emergency rehabilitation and res-

toration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, \$286,000,000 is for hazardous fuels reduction activities, \$9,281,000 is for rehabilitation and restoration, \$21,719,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), \$41,000,000 is for State fire assistance, \$8,000,000 is for volunteer fire assistance, \$15,000,000 is for forest health activities on Federal lands and \$10,000,000 is for forest health activities on State and private lands: *Provided further*, That amounts in this paragraph may be transferred to the "State and Private Forestry", "National Forest System", and "Forest and Rangeland Research" accounts to fund State fire assistance, volunteer fire assistance, forest health management, forest and rangeland research, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in the report accompanying this Act: *Provided further*, That funds provided under this heading for hazardous fuels treatments may be transferred to and made a part of the "National Forest System" account at the sole discretion of the Chief of the Forest Service thirty days after notifying the House and the Senate Committees on Appropriations: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriations, up to \$15,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That funds designated for wildfire suppression, shall be assessed for indirect costs, in a manner consistent with such assessments against other agency programs.

AMENDMENT OFFERED BY MR. TAYLOR OF NORTH CAROLINA

Mr. TAYLOR of North Carolina. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TAYLOR of North Carolina:

On page 75, line 12, after the dollar amount, insert, "(increased by \$1,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from North Carolina (Mr. TAYLOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment adds \$1 million for the National Forest System, and I believe we have agreement on both sides.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I rise to advise that we do agree with the amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. TAYLOR).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. BEAUPREZ

Mr. BEAUPREZ. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. BEAUPREZ:

In title III of the bill under the heading "WILDLAND FIRE MANAGEMENT (INCLUDING TRANSFER OF FUNDS)", insert after the first dollar amount on Page 76 the following "(increased by \$27,500,000)".

Insert after the first dollar amount on page 77 "(increased by \$27,500,000)".

In title III of the bill in the item relating to "NATIONAL ENDOWMENT FOR THE ARTS—GRANTS AND ADMINISTRATION", insert after the first dollar amount on Page 106 the following "(reduced by 30,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Colorado (Mr. BEAUPREZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. BEAUPREZ).

Mr. BEAUPREZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would reduce funding for the National Endowment of the Arts by \$30 million and transfer the funds to the United States Forest Service for thinning projects to reduce the threat of catastrophic wildfires.

As Members of this Chamber will certainly remember, the summers of 2000 and 2002 were the two largest and most destructive fire seasons in the last 50 years. According to information presented by the United States Forest Service Chief, Dale Bosworth, in 2002, some 73 million acres of the 192 million acres managed by the United States Forest Service remain at risk to catastrophic wildfire. That is greater than the size of the entire State of Arizona.

The Wall Street Journal reported that parts of the National Forest System contain more than 400 tons of dry fuel per acre, or 10 times the manageable or appropriate level. Disease and insect infestations have also attributed

to an increase in combustible fuels. In Colorado alone, surveys have recorded that approximately 1.2 million trees have been killed by mountain pine beetle outbreaks in 2004. This is nearly 100 times the mortality rate reported in 1996.

This is the kind of timber that turns small fires into kinds of infernos that have devastated Colorado and other western States in recent years, destroying homes, poisoning the air, scorching critical habitat, and choking streams and rivers with tons of soot and sediment.

Positive steps have been made recently, most notably the passage of the Healthy Forest Act, which enabled forest managers to begin the process of restoring our forests to more sustainable and natural states. This legislation has helped land managers cut through the red tape that has delayed badly needed thinning projects.

However, even with increased attention to thinning and fuels treatment efforts, more funding is needed. Since the majority of our forests are federally owned, the burden to protect our States and local communities from the devastating effects of forest fires lies with the Federal agencies designated to protect them. Congress must fully fund their needs.

While cooler temperatures and increased moisture have brought some relief to the West this past winter, we cannot forget the need to continue to support responsible forest management. Another dry season is just one hot summer away. The human consequences from past fires have taught us we must continue to be proactive with our forest management. It far outweighs the devastating economic, ecological, and social cost of forest fires.

In 2002, hundreds of homes and other structures were destroyed and thousands more were evacuated. Twenty-three firefighters lost their lives, and the American taxpayer spent in excess of \$1.5 billion containing 2002's record-setting blazes. Rural economies that rely on tourism suffered significant losses.

This amendment is a modest attempt to provide additional funding that can be used on the ground immediately in a way that will help ensure cleaner air and water, protection of sensitive ecosystems, keep western communities safe from catastrophic wildfire, and improve the health of our forests and watersheds. Simply, it reduces funding for the NEA by \$30 million and transfers funds to the United States Forest Service for thinning projects.

The question arises, why take funds from the NEA. I applaud the progress that has been made recently by the NEA in repairing a very damaged image in the view of many Americans. One of my sons is actually a student of the arts, and my wife and I are certainly avid arts supporters and particularly appreciate "public art."

□ 1630

However, a very small percentage of artistic funds comes from the Federal Government. Still, since fiscal year 2000, NEA funding from the Federal Government has increased by 19 percent. In 2001, the NEA budget as a percentage of total revenues in the non-profit arts sector was less than 0.4 percent.

Most of the funding happens to come from everyday patrons of the arts who enjoy them, philanthropists and corporate donations that foster the development of artistic communities.

I commend these individuals and organizations for doing so. However, it should be a greater priority of Congress to ensure the safety of our western communities, prevent forest fires, and save lives rather than spend taxpayer dollars for artistic endeavors, enjoyable as they may be.

When Congress spends so much annually to put out wildfires, does it not make more sense to spend that money on additional thinning treatments that could help prevent forest fires from starting in the first place? I was pleased when the Healthy Forest Initiative was passed by Congress and signed into law by the President. However, I worried that we still lacked the economic incentives that could make the management of our forests, the removal of dead fuel for an inferno, an opportunity. That incentive now exists.

Mr. Chairman, I urge adoption of this amendment and ask my colleagues to join me in voting "aye."

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to claim the time in opposition, and I yield myself such time as I may consume.

I share the gentleman's concern for forests. The Department of the Interior bill has focused on forest health and wildlife management. We have large increases for the most important parts of the national fire plan. The bill has substantially increased due to the administration's Healthy Forest and National Fire Plan Initiatives. The bill has a \$33 million increase in funding over the last year for hazardous fuel management. This is a serious increase. We have increased hazardous fuel funding dramatically in the last 4 years. It is not clear that the proposed increase could be used efficiently.

I share the gentleman's interest in caring for public lands. A large part of my district is national forests and national parks, so I understand we need to take care of this important land.

The Department of the Interior bill also increases funding for other wildlife programs and forest health management. This is a tight allocation, and I think we have done a careful balancing act. As I opposed the amendment to increase funding in the arts earlier, trying to balance our concerns, I must also reluctantly oppose this amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I rise in strong opposition to the gentleman's amendment. Make no mistake, the principle purpose of this amendment is to cut the National Endowment for the Arts. I absolutely share the gentleman's concern that the forest system and BLM have sufficient funding to meet the challenge of fighting fires.

In fact, last year I worked closely with the gentleman from North Carolina (Chairman TAYLOR) to provide 2 years of emergency funding to fight wildfires which totaled \$1 billion. This bill does not contain that emergency money, but non-emergency firefighting is increased by \$116 million when compared to the non-emergency funding in 2005. Of course, I do worry that an extremely bad fire season could exhaust this increased funding. However, I do not think the NEA is the place to augment firefighting funding. But again, I think the purpose of this amendment is more to raise issues about the NEA.

I appreciate the gentleman saying he is a supporter of the arts. I wish we had the emergency money that we have had the last 2 years, but we do not. I think I would say to the gentleman as we look and see how the season unfolds, we may have to do something further in conference; but I think this amendment is the wrong approach. I strongly support our chairman and urge that the committee defeat the amendment.

Mr. DEFAZIO. Mr. Chairman, I have always been a strong supporter of funding for arts programs and will continue to be. The arts community in my district is vibrant, and funding for the National Endowment for the Arts is an invaluable part of education and social enrichment throughout Oregon. I was pleased to see the amendment offered by Congresswoman SLAUGHTER and Ranking Member DICKS, which would increase funding for the NEA, approved by a voice vote.

But we have an unresolved crisis on our public lands that needs to be addressed. A lot of members would probably like to believe that by passing the Healthy Forests restoration Act, Congress solved the forest health and hazardous fuel build-up problem. Nothing could be further from the truth.

I fought hard to get funding for fuel reduction projects included as part of HFRA. That bill eventually authorized \$760 million annually for critical fuel reduction, but Congress hasn't even begun to approach that commitment as evidenced by the appropriations bill we're considering today.

This Interior bill contains \$211 million in hazardous fuel reduction for the Bureau of Land Management and \$286 million for the Forest Service. That's an increase of \$9.8 million and \$23.5 million respectively. I very much appreciate the Chairman and Ranking Member for including these increases in the bill, but they fall far short of what is needed to reduce hazardous fuel and the yearly threat of wildfire throughout the West.

The GAO recently stated that at these anemic spending levels we will continue to fall further and further behind. The GAO says that if we doubled the funding for fuel reduction, we would only stay even with the problem. Earlier this year when the agency testified before the Forests Subcommittee on which I serve, they

said we would need to triple the funding for fuel reduction if we wish to begin to address the build-up of dangerous trees and shrubs in our national forests.

If we tripled the overall funding, more than 60 percent of that money could be spent under the expedited environmental analysis and judicial review authorized by HFRA, instead of using budget gimmicks to only claim that we are fully funding that important law. But the administration thus far has used that authority on less than 10 percent of projects. And the vast majority of those projects are simply burning rangeland, which does virtually nothing to improve forest health and reduce wildfire risk. The bottom line is that we are not even beginning to address the fuel build-up problem on forested federal land and we won't start with this bill. We gave them the authority to get more done in an expedited way, now let's give them the money necessary to do it.

The administration plans to treat only about 1 percent of the acres that they claim are in need of fuel reduction. The money in the amendment offered by Mr. BEAUPREZ would be small compared to the need, but every additional dollar helps. This amendment would allow them to do 60,000 more acres of fuel reduction next year. And not of only burning sagebrush, but actually treating 60,000 more acres of forested lands which are overstocked tinder boxes that could result in catastrophic fires and threaten our communities.

Congress needs to get serious about funding hazardous fuel reduction projects and fulfill the commitment made when it passed HFRA. This amendment would be a small but important step toward that goal and I urge its adoption.

The Acting CHAIRMAN (Mr. WALDEN of Oregon). All time has expired.

The question is on the amendment offered by the gentleman from Colorado (Mr. BEAUPREZ).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. BEAUPREZ) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment offered by the gentleman from Colorado (Mr. HEFLEY); amendments offered by the gentleman from Pennsylvania (Mr. PETERSON); amendment offered by the gentleman from Nebraska (Mr. TERRY); amendment offered by the gentleman from Wisconsin (Mr. OBEY); and amendment offered by the gentleman from Colorado (Mr. BEAUPREZ).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. HEFLEY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the

gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendments.

The Clerk designated the amendments.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 109, noes 311, not voting 13, as follows:

[Roll No. 191]

AYES—109

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Brady (TX)
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Cannon
Chabot
Cox
Cubin
Culberson
Davis, Jo Ann
Deal (GA)
DeLay
Doolittle
Emerson
Everett
Feeney
Flake
Forbes
Foxy
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons

Gingrey
Gohmert
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hall
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hoekstra
Hostettler
Hulshof
Hunter
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
King (IA)
Kline
Kuhl (NY)
Lewis (KY)
Linder
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McHenry
McMorris
Mica
Miller (FL)
Miller, Gary

Musgrave
Myrick
Neugebauer
Norwood
Nunes
Otter
Paul
Pence
Peterson (MN)
Petri
Pitts
Poe
Pombo
Pomeroy
Putnam
Radanovich
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salazar
Sensenbrenner
Sessions
Shadegg
Shuster
Skelton
Stearns
Sullivan
Tanner
Taylor (MS)
Thornberry
Tiahrt
Weldon (FL)
Weller
Wilson (NM)
Wilson (SC)
Young (AK)

NOES—311

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrow
Bass
Bean
Becerra
Berman
Berry
Biggett
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehert
Bonilla
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Butterfield
Calvert

Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio

Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Harris
Hart
Hastings (FL)
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hyde
Inglis (SC)
Inlee
Israel
Jackson (IL)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Latham
Lee
Levin
Lewis (CA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery

McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northrup
Nussle
Oberstar
Obey
Oliver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascarella
Pastor
Payne
Pearce
Pelosi
Peterson (PA)
Pickering
Platts
Porter
Price (GA)
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Sherwood
Shimkus
Simmons
Simpson
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stupak
Sweeney
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Pearce
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Wexler
Whitfield
Wicker
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—13

Conaway
Harman
Jackson-Lee
(TX)
Larson (CT)
LaTourette
Leach
Lewis (GA)
Lucas

□ 1701

Mr. SCHWARZ of Michigan, Mr. RENZI, Ms. KILPATRICK of Michigan, Ms. LORETTA SANCHEZ of California, and Messrs. CARTER, SMITH of Texas and RUPPERSBERGER changed their vote from "aye" to "no."

Messrs. PETERSON of Minnesota, GINGREY, SULLIVAN, YOUNG of Alaska, Miss McMORRIS, and Mr. KUHLE of New York changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENTS OFFERED BY MR. PETERSON OF PENNSYLVANIA

The Acting CHAIRMAN (Mr. BASS). The pending business is the demand for a recorded vote on the amendments offered by the gentleman from Pennsylvania (Mr. PETERSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendments.

The Clerk designated the amendments.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 157, noes 262, not voting 14, as follows:

[Roll No. 192]

AYES—157

Abercrombie	Goodlatte	Ney
Aderholt	Granger	Northup
Akin	Graves	Norwood
Alexander	Green, Al	Nunes
Bachus	Green, Gene	Oberstar
Baker	Gutknecht	Ortiz
Barrett (SC)	Hall	Osborne
Barton (TX)	Hart	Otter
Beauprez	Hastings (WA)	Oxley
Berry	Hayes	Paul
Bishop (UT)	Hayworth	Pearce
Blackburn	Hefley	Pence
Boehner	Hensarling	Peterson (MN)
Bonilla	Herger	Peterson (PA)
Bonner	Hinojosa	Pickering
Boozman	Hoekstra	Pitts
Boren	Holden	Porter
Boustany	Hostettler	Price (GA)
Brady (TX)	Hulshof	Regula
Brown (SC)	Hunter	Renzi
Burgess	Hyde	Reyes
Burton (IN)	Istook	Rogers (KY)
Buyer	Jefferson	Rohrabacher
Cannon	Jenkins	Ross
Carter	Jindal	Ryun (KS)
Chocola	Johnson (CT)	Sabo
Coble	Johnson, Sam	Salazar
Cole (OK)	King (IA)	Sensenbrenner
Cooper	King (NY)	Sessions
Cramer	Kline	Shadegg
Cubin	Kolbe	Sherwood
Cuellar	Kuhl (NY)	Shimkus
Culberson	Lewis (KY)	Shuster
Davis (TN)	Linder	Simpson
Deal (GA)	Lungren, Daniel	Smith (TX)
Dent	E.	Sodrel
Doolittle	Manzullo	Souder
Doyle	Marchant	Sullivan
Duncan	Marshall	Tanner
Edwards	McCaul (TX)	Taylor (MS)
Emerson	McCrery	Terry
English (PA)	McHenry	Thomas
Everett	McHugh	Thornberry
Flake	McMorris	Tiahrt
Fortenberry	Melancon	Tiberi
Fox	Mica	Upton
Franks (AZ)	Miller, Gary	Weller
Garrett (NJ)	Mollohan	Westmoreland
Gibbons	Moran (KS)	Wicker
Gingrey	Murphy	Wilson (NM)
Gohmert	Musgrave	Wilson (SC)
Gonzalez	Myrick	Young (AK)
Goode	Neugebauer	

NOES—262

Ackerman	Berman	Bradley (NH)
Allen	Biggart	Brady (PA)
Andrews	Bilirakis	Brown (OH)
Baca	Bishop (GA)	Brown, Corrine
Baird	Bishop (NY)	Brown-Waite,
Baldwin	Blumenauer	Ginny
Barrow	Blunt	Butterfield
Bartlett (MD)	Boehlert	Calvert
Bass	Bono	Camp
Bean	Boswell	Cantor
Becerra	Boucher	Capito
Berkley	Boyd	Capps

Capuano	Issa	Pryce (OH)
Cardin	Jackson (IL)	Putnam
Cardoza	Johnson (IL)	Radanovich
Carnahan	Johnson, E. B.	Rahall
Carson	Jones (NC)	Ramstad
Case	Jones (OH)	Rangel
Castle	Kanjorski	Rehberg
Chabot	Kaptur	Reichert
Chandler	Keller	Reynolds
Clay	Kelly	Rogers (AL)
Cleaver	Kennedy (MN)	Rogers (MI)
Clyburn	Kennedy (RI)	Ros-Lehtinen
Conyers	Kildee	Rothman
Costa	Kilpatrick (MI)	Roybal-Allard
Costello	Kind	Royce
Cox	Kingston	Ruppersberger
Crenshaw	Kirk	Rush
Crowley	Knollenberg	Ryan (OH)
Cummings	Kucinich	Ryan (WI)
Cunningham	LaHood	Sánchez, Linda
Davis (AL)	Langevin	T.
Davis (CA)	Lantos	Sanchez, Loretta
Davis (FL)	Larsen (WA)	Sanders
Davis (IL)	Latham	Saxton
Davis (KY)	Lee	Schakowsky
Davis, Jo Ann	Levin	Schiff
Davis, Tom	Lewis (CA)	Schwartz (PA)
DeFazio	Lipinski	Schwarz (MI)
DeGette	LoBiondo	Scott (GA)
Delahunt	Lofgren, Zoe	Scott (VA)
DeLauro	Lowe	Serrano
DeLay	Lynch	Shaw
Diaz-Balart, L.	Mack	Sherman
Diaz-Balart, M.	Maloney	Simmons
Dicks	Markey	Skelton
Dingell	Matheson	Slaughter
Doggett	Matsui	Smith (NJ)
Drake	McCarthy	Smith (WA)
Dreier	McCollum (MN)	Snyder
Ehlers	McCotter	Solis
Emanuel	McDermott	Spratt
Engel	McGovern	Stark
Eshoo	McIntyre	Stearns
Etheridge	McKeon	Stupak
Evans	McKinney	Sweeney
Farr	McNulty	Tauscher
Fattah	Meehan	Taylor (NC)
Feeney	Meek (FL)	Thompson (CA)
Ferguson	Meeks (NY)	Thompson (MS)
Filner	Menendez	Tierney
Fitzpatrick (PA)	Michaud	Towns
Foley	Miller (FL)	Turner
Forbes	Miller (MI)	Udall (CO)
Ford	Miller (NC)	Udall (NM)
Fossella	Miller, George	Van Hollen
Frank (MA)	Moore (KS)	Velázquez
Frelinghuysen	Moore (WI)	Visclosky
Gallely	Moran (VA)	Walden (OR)
Gerlach	Murtha	Walsh
Gilchrest	Nadler	Wamp
Gillmor	Napolitano	Wasserman
Gordon	Neal (MA)	Schultz
Green (WI)	Nussle	Waters
Grijalva	Obey	Watson
Harris	Olver	Watt
Hastings (FL)	Owens	Waxman
Hersteth	Pallone	Weiner
Higgins	Pascrell	Weldon (FL)
Hinchee	Pastor	Wexler
Hobson	Payne	Whitfield
Holt	Pelosi	Wolf
Honda	Petri	Woolsey
Hookey	Platts	Wu
Hoyer	Poe	Wynn
Inglis (SC)	Pombo	Young (FL)
Inslee	Pomeroy	
Israel	Price (NC)	

NOT VOTING—14

Conaway	LaTourette	Shays
Gutierrez	Leach	Strickland
Harman	Lewis (GA)	Tancred
Jackson-Lee	Lucas	Weldon (PA)
(TX)	Millender-	
Larson (CT)	McDonald	

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. BASS) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1709

So the amendments were rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. CONAWAY. Mr. Chairman, on rollcall Nos. 191 and 192, I am not recorded because I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT NO. 4 OFFERED BY MR. TERRY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 4 offered by the gentleman from Nebraska (Mr. TERRY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 76, noes 344, not voting 13, as follows:

[Roll No. 193]

AYES—76

Akin	Gutierrez	Nadler
Barrow	Hall	Norwood
Bean	Hayworth	Osborne
Bishop (UT)	Hensarling	Pallone
Boehner	Hinchee	Pascrell
Boren	Holden	Pearce
Bradley (NH)	Hostettler	Pence
Brady (PA)	Jenkins	Pitts
Camp	Jindal	Poe
Cannon	Johnson, Sam	Ramstad
Capuano	Kanjorski	Ruppersberger
Chocola	Kelly	Ryan (WI)
Costello	Kennedy (MN)	Salazar
Cubin	King (IA)	Saxton
Deal (GA)	LoBiondo	Schwartz (PA)
DeFazio	Maloney	Shimkus
Dingell	Markey	Shuster
Doggett	Matsui	Smith (WA)
Doyle	McKinney	Stupak
Fattah	Menendez	Taylor (MS)
Fitzpatrick (PA)	Miller (FL)	Terry
Flake	Miller, Gary	Weller
Fortenberry	Moore (WI)	Wu
Frank (MA)	Moran (KS)	Wynn
Gerlach	Murphy	
Green, Gene	Musgrave	

NOES—344

Abercrombie	Boustany	Cox
Ackerman	Boyd	Cramer
Aderholt	Brady (TX)	Crenshaw
Alexander	Brown (OH)	Crowley
Allen	Brown (SC)	Cuellar
Andrews	Brown, Corrine	Culberson
Baca	Brown-Waite,	Cummings
Bachus	Ginny	Cunningham
Baird	Burgess	Davis (AL)
Baker	Burton (IN)	Davis (CA)
Baldwin	Butterfield	Davis (FL)
Barrett (SC)	Buyer	Davis (IL)
Bartlett (MD)	Calvert	Davis (KY)
Barton (TX)	Cantor	Davis (TN)
Bass	Capito	Davis, Jo Ann
Beauprez	Capps	Davis, Tom
Becerra	Cardin	DeGette
Berkley	Cardoza	Delahunt
Berman	Carnahan	DeLauro
Berry	Carson	DeLay
Biggart	Carter	Dent
Bilirakis	Case	Diaz-Balart, L.
Bishop (GA)	Castle	Diaz-Balart, M.
Bishop (NY)	Chabot	Dicks
Blackburn	Chandler	Doolittle
Blumenauer	Clay	Drake
Blunt	Cleaver	Dreier
Boehlert	Clyburn	Duncan
Bonilla	Coble	Edwards
Bonner	Cole (OK)	Ehlers
Bono	Conaway	Emanuel
Boozman	Conyers	Emerson
Boswell	Cooper	Engel
Boucher	Costa	English (PA)

Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Foley
Forbes
Ford
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Grijalva
Gutknecht
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kaptur
Keller
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
Lee

Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lowey
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Oliver
Ortiz
Otter
Owens
Oxley
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pickering
Platts
Pommo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Rangel
Reynolds
Rogers (AL)
Rogers (KY)

Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryun (KS)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—13

Harman
Jackson-Lee
(TX)
Kolbe
Larson (CT)
LaTourette

Leach
Lewis (GA)
Lucas
Millender-
McDonald
Peterson (PA)

Shays
Strickland
Tancred

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. FOLEY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1716

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. OBEY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 235, not voting 12, as follows:

[Roll No. 194]

AYES—186

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brown (OH)
Brown, Corrine
Butterfield
Capps
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez

Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Hereth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Lee
Levin
Lipinski
Lofgren, Zoe
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Neal (MA)
Oberstar

Obey
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—235

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggart
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Carter
Castle
Chabot
Choccola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen

Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neugebauer

Ney
Northup
Norwood
Nunes
Nussle
Oliver
Osborne
Otter
Oxley
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pommo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Stupak
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Harman
Jackson-Lee
(TX)
Larson (CT)
LaTourette

Leach
Lewis (GA)
Lucas
Millender-
McDonald

Shays
Strickland
Sullivan
Tancred

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1726

Mr. EDWARDS, Mr. SCOTT of Georgia, and Mrs. JONES of Ohio changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. BEAUPREZ

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. BEAUPREZ) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 122, noes 298, not voting 13, as follows:

[Roll No. 195]

AYES—122

Akin	Gohmert	Myrick
Bachus	Goode	Neugebauer
Barrett (SC)	Goodlatte	Ney
Bartlett (MD)	Graves	Norwood
Beauprez	Green (WI)	Nunes
Blackburn	Gutknecht	Nussle
Boehner	Hall	Otter
Bonilla	Hastings (WA)	Paul
Boren	Hayes	Pence
Boustany	Hayworth	Petri
Brady (TX)	Hefley	Pickering
Burgess	Hensarling	Pitts
Burton (IN)	Herger	Poe
Buyer	Herseth	Pombo
Calvert	Hoekstra	Porter
Cannon	Hostettler	Renzi
Cantor	Hunter	Rogers (AL)
Carter	Issa	Rohrabacher
Chabot	Istook	Royce
Coble	Johnson, Sam	Ryan (WI)
Cole (OK)	Jones (NC)	Ryun (KS)
Cox	Keller	Salazar
Cubin	Kennedy (MN)	Sensenbrenner
Culberson	King (IA)	Sessions
Cunningham	Kingston	Shadegg
Davis, Jo Ann	Kline	Shimkus
Deal (GA)	Kuhl (NY)	Shuster
DeFazio	Latham	Souder
DeLay	Lewis (CA)	Stearns
Diaz-Balart, M.	Lewis (KY)	Sullivan
Doolittle	Linder	Taylor (MS)
Dreier	Lungren, Daniel	Thornberry
Emerson	E.	Tiahrt
Feeney	Manzullo	Udall (CO)
Flake	Marchant	Weldon (FL)
Fox	McCaul (TX)	Weiler
Franks (AZ)	McHenry	Westmoreland
Gallely	McMorris	Wicker
Garrett (NJ)	Miller (FL)	Wilson (NM)
Gibbons	Miller, Gary	Wilson (SC)
Gingrey	Musgrave	Young (AK)

NOES—298

Abercrombie	Bishop (NY)	Cardin
Ackerman	Blumenauer	Cardoza
Aderholt	Blunt	Carnahan
Alexander	Boehert	Carson
Allen	Bonner	Case
Andrews	Bono	Castle
Baca	Boozman	Chandler
Baird	Boswell	Chocola
Baker	Boucher	Clay
Baldwin	Boyd	Cleaver
Barrow	Bradley (NH)	Clyburn
Barton (TX)	Brady (PA)	Conaway
Bass	Brown (OH)	Conyers
Bean	Brown (SC)	Cooper
Becerra	Brown, Corrine	Costa
Berkley	Brown-Waite,	Costello
Berman	Ginny	Cramer
Berry	Camp	Crenshaw
Biggert	Capito	Crowley
Bilirakis	Capps	Cuellar
Bishop (GA)	Capuano	Cummings

Davis (AL)	Kind	Regula
Davis (CA)	King (NY)	Rehberg
Davis (FL)	Kirk	Reichert
Davis (IL)	Knollenberg	Reyes
Davis (KY)	Kolbe	Reynolds
Davis (TN)	Kucinich	Rogers (KY)
Davis, Tom	LaHood	Rogers (MI)
DeGette	Langevin	Ros-Lehtinen
Delahunt	Lantos	Ross
DeLauro	Larsen (WA)	Rothman
Dent	Lee	Roybal-Allard
Diaz-Balart, L.	Levin	Ruppersberger
Dicks	Lipinski	Rush
Dingell	LoBiondo	Ryan (OH)
Doggett	Lofgren, Zoe	Sabo
Doyle	Lowey	Sanchez, Linda
Drake	Lynch	T.
Duncan	Mack	Sanchez, Loretta
Edwards	Maloney	Sanders
Ehlers	Markey	Saxton
Emanuel	Marshall	Schakowsky
Engel	Matheson	Schiff
English (PA)	Matsui	Schwartz (PA)
Eshoo	McCarthy	Schwarz (MI)
Etheridge	McCollum (MN)	Scott (GA)
Evans	McCotter	Scott (VA)
Everett	McCrery	Serrano
Farr	McDermott	Shaw
Fattah	McGovern	Sherman
Ferguson	McHugh	Sherwood
Filner	McIntyre	Simmons
Fitzpatrick (PA)	McKeon	Simpson
Foley	McKinney	Skelton
Forbes	McNulty	Slaughter
Ford	Meehan	Smith (NJ)
Fortenberry	Meek (FL)	Smith (TX)
Fossella	Meeke (NY)	Smith (WA)
Frank (MA)	Melancon	Snyder
Frelinghuysen	Menendez	Sodrel
Gerlach	Mica	Solis
Gilchrest	Michaud	Spratt
Gillmor	Miller (MI)	Stark
Gonzalez	Miller (NC)	Stupak
Gordon	Miller, George	Sweeney
Granger	Mollohan	Tanner
Green, Al	Moore (KS)	Tauscher
Green, Gene	Moore (WI)	Taylor (NC)
Grijalva	Moran (KS)	Terry
Gutierrez	Moran (VA)	Thomas
Harris	Murphy	Thompson (CA)
Hart	Murtha	Thompson (MS)
Hastings (FL)	Nadler	Tiberi
Higgins	Napolitano	Tierney
Hinckley	Neal (MA)	Towns
Hinojosa	Northup	Turner
Hobson	Oberstar	Udall (NM)
Holden	Obey	Upton
Holt	Oliver	Van Hollen
Honda	Ortiz	Velázquez
Hooley	Osborne	Visclosky
Hoyer	Owens	Walden (OR)
Hulshof	Oxley	Walsh
Hyde	Pallone	Wamp
Inglis (SC)	Pascarella	Wasserman
Inslee	Pastor	Schultz
Israel	Payne	Waters
Jackson (IL)	Pearce	Watson
Jefferson	Pelosi	Watt
Jenkins	Peterson (MN)	Waxman
Jindal	Peterson (PA)	Weiner
Johnson (CT)	Platts	Weldon (PA)
Johnson (IL)	Pomeroy	Wexler
Johnson, E. B.	Price (GA)	Whitfield
Jones (OH)	Price (NC)	Wolf
Kanjorski	Pryce (OH)	Woolsey
Kaptur	Putnam	Wu
Kelly	Radanovich	Wynn
Kennedy (RI)	Rahall	Young (FL)
Kildee	Ramstad	
Kilpatrick (MI)	Rangel	

NOT VOTING—13

Bishop (UT)	Larson (CT)	Millender-
Butterfield	LaTourette	McDonald
Harman	Leach	Shays
Jackson-Lee	Lewis (GA)	Strickland
(TX)	Lucas	Tancredo

□ 1735

Mr. ROSS changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN (Mr. FOLEY). The Committee will rise informally.

The Speaker pro tempore (Mr. REHBERG) assumed the chair.

A FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The Committee resumed its sitting.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word for the purposes of engaging in a colloquy with the gentleman from Oklahoma (Mr. COLE).

Mr. Chairman, I yield to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE of Oklahoma. Mr. Chairman, at the outset let me thank the gentleman from North Carolina (Mr. TAYLOR) for bringing forward a bill that I believe addresses many of the critical issues for the Department of the Interior.

It is impossible not to note that this budget environment creates genuinely tough challenges for the Department of the Interior. With that said, I believe the subcommittee has done an excellent job in crafting a bill that addresses those major problems.

Several years ago this committee provided funds for a new visitors center at Chickasaw National Recreation Area in my district. The bids came in high due to the rising cost of materials. Before the project could be downsized the Department of the Interior had to reprogram these funds for emergency wildfire suppression.

Mr. Chairman, I am asking that you consider restoring this project in conference should funds become available.

Mr. TAYLOR of North Carolina. Mr. Chairman, reclaiming my time, I understand the gentleman's concerns and the unfortunate turn of events which caused this project to be delayed, and I will give the request of the gentleman from Oklahoma (Mr. COLE) every possible consideration.

Mr. Chairman, I yield to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE of Oklahoma. Mr. Chairman, I want to thank the gentleman from North Carolina (Mr. TAYLOR), our distinguished chairman, for offering to work with me and the committee to resolve this through the conference process.

I believe that this is an important and critical step toward addressing what has been a very real injustice. I thank the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that the bill through page 128 line 12 be

considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The text of the bill from page 79 line 7, through page 128 line 12 is as follows:

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, \$468,260,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair, decommissioning, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: *Provided*, That up to \$15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: *Provided further*, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$15,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, \$1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94-579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$64,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for

subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96-487), \$5,467,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901-5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon notification of the House and Senate Committees on Appropriations and if and only if all previously appropriated emergency contingent funds under the heading "Wildland Fire Management" have been released by the President and apportioned and all wildfire suppression funds under the heading "Wildland Fire Management" are obligated.

The first transfer of funds into the Wildland Fire Management account shall include unobligated funds, if available, from the Land Acquisition account and the Forest Legacy program within the State and Private Forestry account.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b, however in fiscal year 2006 the Forest Service may transfer funds to the "National Forest System" account from other agency accounts to enable the agency's law enforcement program to pay full operating costs including overhead.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate

Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than \$72,646,000 of the funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture.

Funds available to the Forest Service shall be available to conduct a program of not less than \$2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps.

Of the funds available to the Forest Service, \$4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101-593, of the funds available to the Forest Service, \$3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than \$250,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: *Provided further*, That authorized investments of Federal funds held by the Foundation may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98-244, \$2,650,000 of the funds available to the Forest Service shall be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its subrecipients.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: *Provided*, That such amounts shall not exceed \$500,000.

An eligible individual who is employed in any project funded under title V of the Older American Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older American Act of 1965 (42 U.S.C. 3056(c)(2)).

For each fiscal year through 2009, funds available to the Forest Service in this Act may be used for the purpose of expenses associated with primary and secondary schooling for dependents of agency personnel stationed in Puerto Rico prior to the date of enactment of this Act, who are subject to transfer

and reassignment to other locations in the United States, at a cost not in excess of those authorized for the Department of Defense for the same area, when it is determined by the Chief of the Forest Service that public schools available in the locality are unable to provide adequately for the education of such dependents.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$2,732,298,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That up to \$18,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That \$507,021,000 for contract medical care shall remain available for obligation until September 30, 2007: *Provided further*, That of the funds provided, up to \$27,000,000, to remain available until expended, shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further*, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed \$268,683,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2006, of which not to exceed \$5,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts or annual funding agreements: *Provided further*, That funds available for the Indian Health Care Improvement Fund may be used, as needed, to

carry out activities typically funded under the Indian Health Facilities account: *Provided further*, That of the amounts provided to the Indian Health Service, \$15,000,000 is provided for alcohol control, enforcement, prevention, treatment, sobriety and wellness, and education in Alaska: *Provided further*, That none of the funds may be used for tribal courts or tribal ordinance programs or any program that is not directly related to alcohol control, enforcement, prevention, treatment, or sobriety: *Provided further*, That no more than 15 percent may be used by any entity receiving funding for administrative overhead including indirect costs: *Provided further*, That the Bureau of Indian Affairs shall collect from the Indian Health Service and tribes and tribal organizations operating health facilities pursuant to Public Law 93-638 such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals With Disability Education Act, 20 U.S.C. 1400, et seq.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, \$370,774,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: *Provided further*, That not to exceed \$500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed \$1,000,000 from this account and the "Indian Health Services" account shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That notwithstanding any other provision of law, funds appropriated for the planning, design, and construction of the replacement health care facility in Barrow, Alaska, may be used to purchase land up to approximately 8 hectares for a site upon which to construct the new health care facility: *Provided further*, That not to exceed \$500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates

not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by 5 U.S.C. 5901-5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation. Notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86-121 (the Indian Sanitation Facilities Act) and Public Law 93-638, as amended.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

None of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process. Personnel ceilings may not be imposed on the Indian Health Service nor may any action be taken to reduce the full time equivalent level of the Indian Health Service below the level in fiscal year 2002 adjusted upward for the staffing of new and expanded facilities, funding provided for staffing at the Lawton, Oklahoma hospital in fiscal years 2003 and 2004, critical positions not filled in fiscal year 2002, and staffing necessary to carry out the intent of Congress with regard to program increases.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

With respect to functions transferred by the Indian Health Service to tribes or tribal

organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding. Such amounts shall remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, \$80,289,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, \$76,024,000, of which up to \$1,500,000, to remain available until expended, is for Individual Learning Accounts for full-time equivalent employees of the Agency for Toxic Substances and Disease Registry: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2006, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed \$750 for official reception and representation expenses, \$2,717,000: *Provided*,

That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$9,200,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93-531, \$8,601,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99-498, as amended (20 U.S.C. 56 part A), \$6,300,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination,

and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, \$524,381,000, of which not to exceed \$10,992,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and of which \$9,086,000 for the reopening of the Patent Office Building and for fellowships and scholarly awards shall remain available until September 30, 2007; and including such funds as may be necessary to support American overseas research centers and a total of \$125,000 for the Council of American Overseas Research Centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: *Provided further*, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: *Provided further*, That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: *Provided further*, That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, \$90,900,000, to remain available until expended, of which not to exceed \$10,000 is for services as authorized by 5 U.S.C. 3109: *Provided*, That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without the advance approval of the House and Senate Committees on Appropriations.

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the

advance written approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the statement of the managers accompanying this Act.

None of the funds in this or any other Act may be used to purchase any additional buildings without prior consultation with the House and Senate Committees on Appropriations.

NATIONAL GALLERY OF ART SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$97,100,000, of which not to exceed \$3,157,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, \$16,200,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price: *Provided further*, That, notwithstanding any other provision of law, a single procurement for the Master Facilities Plan renovation project at the National Gallery of Art may be issued which includes the full scope of the Work Area #3 project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$17,800,000.

CONSTRUCTION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$10,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial

Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$9,085,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$121,264,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, including \$14,922,000 for support of arts education and public outreach activities through the Challenge America program, for program support, and for administering the functions of the Act, to remain available until expended: *Provided*, That funds previously appropriated to the National Endowment for the Arts "Matching Grants" account and "Challenge America" account may be transferred to and merged with this account.

NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$122,605,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$15,449,000, to remain available until expended, of which \$10,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants up to \$10,000, if in the aggregate this amount does not exceed 5 percent of the sums appropriated for grant-making purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,893,000: *Provided*, That the

Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956(a)), as amended, \$7,000,000: *Provided*, That no one organization shall receive a grant in excess of \$400,000 in a single year.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), \$4,860,000: *Provided*, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$8,177,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses to host international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106-292 (36 U.S.C. 2301-2310), \$41,880,000, of which \$1,874,000 for the museum's repair and rehabilitation program and \$1,246,000 for the museum's exhibitions program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, \$20,000,000 shall be available to the Presidio Trust, to remain available until expended.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

For necessary expenses of the White House Commission on the National Moment of Remembrance, \$250,000.

TITLE IV—GENERAL PROVISIONS

SEC. 401. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 402. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete.

SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 404. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 405. No assessments may be levied against any program, budget activity, sub-activity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 406. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (*Sequoiadendron giganteum*) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2004.

SEC. 407. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2006, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 408. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103-138, 103-332, 104-134, 104-208, 105-83, 105-277, 106-113, 106-291, 107-63, 108-7, 108-108, and 108-447 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2005 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 409. Of the funds provided to the National Endowment for the Arts:

(1) The Chairperson shall only award a grant to an individual if such grant is award-

ed to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 410. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 411. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term "underserved population" means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants

awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 412. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the 5-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 413. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 414. Amounts deposited during fiscal year 2005 in the roads and trails fund provided for in the 14th paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 415. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 416. Prior to October 1, 2006, the Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

SEC. 417. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

SEC. 418. EXTENSION OF FOREST SERVICE CONVEYANCES PILOT PROGRAM.—Section 329 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (16

U.S.C. 580d note; Public Law 107-63) is amended—

(1) in subsection (b), by striking “40” and inserting “60”;

(2) in subsection (c) by striking “13” and inserting “25”; and

(3) in subsection (d), by striking “2008” and inserting “2009”.

SEC. 419. In entering into agreements with foreign countries pursuant to the Wildfire Suppression Assistance Act (42 U.S.C. 1856m) the Secretary of Agriculture and the Secretary of the Interior are authorized to enter into reciprocal agreements in which the individuals furnished under said agreements to provide wildfire services are considered, for purposes of tort liability, employees of the country receiving said services when the individuals are engaged in fire suppression: *Provided*, That the Secretary of Agriculture or the Secretary of the Interior shall not enter into any agreement under this provision unless the foreign country (either directly or through its fire organization) agrees to assume any and all liability for the acts or omissions of American firefighters engaged in firefighting in a foreign country: *Provided further*, That when an agreement is reached for furnishing fire fighting services, the only remedies for acts or omissions committed while fighting fires shall be those provided under the laws of the host country, and those remedies shall be the exclusive remedies for any claim arising out of fighting fires in a foreign country: *Provided further*, That neither the sending country nor any legal organization associated with the firefighter shall be subject to any legal action whatsoever pertaining to or arising out of the firefighter's role in fire suppression.

SEC. 420. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 421. In awarding a Federal contract with funds made available by this Act, notwithstanding Federal government procurement and contracting laws, the Secretary of Agriculture and the Secretary of the Interior (the “Secretaries”) may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent areas that have been affected by reduced timber harvesting on Federal lands and other forest-dependent rural communities isolated from significant alternative employment opportunities: *Provided*, That notwithstanding Federal Government procurement and contracting laws the Secretaries may award contracts, grants or cooperative agreements to local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged business or micro-business: *Provided further*, That the contract, grant, or cooperative agreement is for forest hazardous fuels reduction, watershed or water quality monitoring or restoration, wildlife or fish population monitoring, or habitat restoration or management: *Provided further*, That the terms “rural community” and “economically disadvantaged” shall have the same meanings as in section 2374 of Public Law 101-624: *Provided further*, That the Secretaries shall develop guidance to implement this section: *Provided further*, That nothing in this section shall be construed as relieving the Secretaries of any duty under applicable procurement laws, except as provided in this section.

SEC. 422. No funds appropriated in this Act for the acquisition of lands or interests in

lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

SEC. 423. (a) LIMITATION ON COMPETITIVE SOURCING STUDIES.—

(1) Of the funds made available by this or any other Act to the Department of the Interior for fiscal year 2006, not more than \$3,450,000 may be used by the Secretary of the Interior to initiate or continue competitive sourcing studies in fiscal year 2006 for programs, projects, and activities for which funds are appropriated by this Act and such funds shall not be available until the Secretary submits a reprogramming proposal to the Committees on Appropriations of the Senate and the House of Representatives, and such proposal has been processed consistent with the reprogramming guidelines in House Report 108-330.

(2) Of the funds appropriated by this Act, not more than \$2,500,000 may be used in fiscal year 2006 for competitive sourcing studies and related activities by the Forest Service.

(b) COMPETITIVE SOURCING STUDY DEFINED.—In this section, the term “competitive sourcing study” means a study on subjecting work performed by Federal Government employees or private contractors to public-private competition or on converting the Federal Government employees or the work performed by such employees to private contractor performance under the Office of Management and Budget Circular A-76 or any other administrative regulation, directive, or policy.

(c) COMPETITIVE SOURCING EXEMPTION FOR FOREST SERVICE STUDIES CONDUCTED PRIOR TO FISCAL YEAR 2006.—Notwithstanding requirements of Office of Management and Budget Circular A-76, Attachment B, the Forest Service is hereby exempted from implementing the Letter of Obligation and post-competition accountability guidelines where a competitive sourcing study involved 65 or fewer full-time equivalents, the performance decision was made in favor of the agency provider; no net savings was achieved by conducting the study, and the study was completed prior to the date of this Act.

(d) In preparing any reports to the Committees on Appropriations on competitive sourcing activities, agencies funded in this Act shall include the incremental cost directly attributable to conducting the competitive sourcing competitions, including costs attributable to paying outside consultants and contractors and, in accordance with full cost accounting principles, all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing, including personnel, consultant, travel, and training costs associated with program management.

SEC. 424. Estimated overhead charges, deductions, reserves or holdbacks from programs, projects and activities to support governmentwide, departmental, agency or bureau administrative functions or headquarters, regional or central office operations shall be presented in annual budget justifications. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

SEC. 425. None of the funds in this Act or prior Acts making appropriations for the Department of the Interior and Related Agencies may be provided to the managing partners or their agents for the SAFECOM or Disaster Management projects.

SEC. 426. (a) IN GENERAL.—An entity that enters into a contract with the United States to operate the National Recreation Reservation Service (as solicited by the solicitation numbered WO-04-06vm) shall not carry out any duties under the contract using:

(1) a contact center located outside the United States; or

(2) a reservation agent who does not live in the United States.

(b) NO WAIVER.—The Secretary of Agriculture may not waive the requirements of subsection (a).

(c) TELECOMMUTING.—A reservation agent who is carrying out duties under the contract described in subsection (a) may not telecommute from a location outside the United States.

(d) LIMITATIONS.—Nothing in this Act shall be construed to apply to any employee of the entity who is not a reservation agent carrying out the duties under the contract described in subsection (a) or who provides managerial or support services.

SEC. 427. Section 331, of Public Law 106-113, is amended—

(1) in part (a) by striking “2005” and inserting “2009”; and

(2) in part (b) by striking “2005” and inserting “2009”.

SEC. 428. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106-291; 114 Stat. 996; 43 U.S.C. 1701 note), is amended—

(1) in the first sentence, by striking “2005” and inserting “2008”;

(2) in the third sentence, by inserting “, National Park Service, Fish and Wildlife Service,” after “Bureau of Land Management”; and

(3) by adding at the end the following new sentence: “To facilitate the sharing of resources under the Service First initiative, the Secretaries of the Interior and Agriculture may make transfers of funds and reimbursement of funds on an annual basis among the land management agencies referred to in this section, except that this authority may not be used to circumvent requirements and limitations imposed on the use of funds.”

SEC. 429. The Secretary of Agriculture may acquire, by exchange or otherwise, a parcel of real property, including improvements thereon, of the Inland Valley Development Agency of San Bernardino, California, or its successors and assigns, generally comprising Building No. 3 and Building No. 4 of the former Defense Finance and Accounting Services complex located at the southwest corner of Tippecanoe Avenue and Mill Street in San Bernardino, California, adjacent to the former Norton Air Force Base. As full consideration for the property to be acquired, the Secretary of Agriculture may terminate the leasehold rights of the United States received pursuant to section 8121(a)(2) of the Department of Defense Appropriations Act, 2005 (Public Law 108-287; 118 Stat. 999). The acquisition of the property shall be on such terms and conditions as the Secretary of Agriculture considers appropriate and may be carried out without appraisals, environmental or administrative surveys, consultations, analyses, or other considerations of the condition of the property.

SEC. 430. The Secretary of the Interior shall submit to the House Committee on Appropriations a report detailing the Federal expenditures pursuant to the Southern Nevada Public Lands Management Act (section 4(e)(3) of Public Law 105-263) for fiscal years 2003 and 2004.

SEC. 431. None of the funds in this Act may be used to prepare or issue a permit or lease for oil or gas drilling in the Finger Lakes National Forest, New York, during fiscal year 2006.

The Acting CHAIRMAN. Are there any points of order to pending provisions of the bill?

POINTS OF ORDER

Mr. TOM DAVIS of Virginia. Mr. Chairman, I raise a point of order against section 413 of H.R. 2361, on the grounds that this provision changes existing law in violation of clause 2(b) of House rule XXI, and therefore is legislation included in a general appropriation bill.

The Acting CHAIRMAN. Does anyone else wish to be heard on the point of order?

The Chair finds that this section prescribes a legislative condition on the availability of funds. The section therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

Mr. TOM DAVIS of Virginia. I raise a point of order against the provision beginning with "notwithstanding" on page 121, line 11, through the comma on line 12, on the grounds that this provision changes existing law in violation of clause 2(b) of House rule XXI and therefore is legislation included in a general appropriation bill.

The Acting CHAIRMAN. Does anyone wish to be heard on this point of order?

If not, the Chair is prepared to rule.

The Chair finds that this provision explicitly supersedes existing law. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I have three other points of order. I will raise them individually.

I have a point of order against the provision beginning with "notwithstanding" on page 121, line 22, through the word "laws" on line 23, on the grounds that this provision also changes existing law in violation of clause 2(b) of House rule XXI.

The Acting CHAIRMAN. Does anyone wish to be heard? The Chair finds that this provision explicitly supersedes existing law. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I raise a point of order against the provision beginning with the word "notwithstanding" on page 124, line 6 through line 7, on the grounds that this provision changes existing law in violation of clause 2(b) of House rule XXI.

The Acting CHAIRMAN. Does anyone wish to be heard on this point of order?

Hearing none, the Chair finds that this provision explicitly supersedes existing law. The provision therefore constitutes legislation in violation of clause 2, rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I raise a point of order

against the provision on page 124, lines 15 through 25, on the grounds that this provision changes existing law in violation of clause 2(b) of House rule XXI, therefore it is legislation included in a general appropriation bill.

The Acting CHAIRMAN. Does any Member wish to be heard on this point of order?

Hearing none, the Chair finds that this provision includes language imparting direction to certain agencies. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

AMENDMENT OFFERED NO. 7 BY MR. CHABOT

Mr. CHABOT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. CHABOT:

At the end of the bill (before the short title), insert the following:

SEC. ____ (a) None of the funds made available in this Act may be used for the designing or construction of forest development roads in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals.

(b) Subsection (a) shall not apply with respect to a forest development road for which construction is initiated before the date of the enactment of this Act.

Mr. POMBO. Mr. Chairman, I reserve a point of order against the amendment under rule XXI, clause 2.

The Acting CHAIRMAN. The point of order is reserved.

Pursuant to the order of House of today, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, established in 1907 by President Theodore Roosevelt, the Tongass is our Nation's largest forest, about the size of West Virginia. Located along Alaska's southeastern coast, it is often referred to as America's rain forest and is home to abundant wildlife, bald eagles, grizzly bears, wolves, and salmon, as well as old growth trees such as the giant Sitka spruce, western hemlock, and yellow cedar.

Mr. Chairman, each year the timber industry is subsidized by millions of tax dollars, taxpayer, hard working funding tax dollars for logging in the Tongass National Forest, approximately \$850 million since 1982.

Each year more taxpayer subsidized logging roads are built to extract the timber, and each year the road maintenance backlog gets more expensive. It is about \$100 million right now. There are already about 5,000 miles of roads in the Tongass.

That is enough road to drive from Washington, D.C. to Los Angeles and most of the way back. Even the Forest Service acknowledges that existing

roads are, quote, sufficient to satisfy local demand for road, recreation, subsistence, and community connectivity needs, unquote.

Mr. Chairman, this is a simple, straightforward amendment. It would stop the Forest Service from constructing new logging roads at taxpayer expense. Let me repeat that, at taxpayer expense, in the Tongass.

□ 1745

It does not prevent the timber industry from building their own roads. It does not prohibit the forest service from constructing roads needed for forest management, community connectivity, or for recreation. I know there are some who would have my colleagues believe differently, but this amendment has nothing to do with the roadless rule. It has everything to do with good government and fiscal responsibility.

This amendment is not an attempt to take away jobs in Alaska. In fact, between 1998 and 2004, Tongass-related jobs fell from over 1,500 to less than 300. That means that taxpayers are subsidizing each existing timber job to the tune of about \$163,000 per job, about four times the median U.S. household income. Despite massive taxpayer subsidies, Alaskan timber continues to decline.

That said, this amendment does not stop timber companies from continuing to log off the roads that the American taxpayers have already built for them. In fact, the Forest Service has a 10-year supply of timber remaining off current roads.

Between 1998 and 2004, half of Tongass timber contracts went unsold. This means taxpayers spend millions of dollars for the Forest Service to build roads and plan sales to access timber they often cannot even sell; and those they do sell, they do so at below-market rates. In fact, the Forest Service is offering to let logging companies cancel contracts already sold because the companies do not want the timber.

Mr. Chairman, I support logging in our national forests when it makes sense, when it is economically viable. I believe our forests should be actively managed so that they may be as healthy as possible; but while we need to be good stewards of our forests, we must also be good stewards of the American people's money.

It is time to restore some common sense and fiscal discipline to the Tongass timber program. I urge my colleagues to stand up for the American taxpayers and support this amendment.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. POMBO. Mr. Chairman, I make a point of order against the amendment.

The amendment constitutes legislation on an appropriations bill. Under the amendment, the limit on funds does not apply to roads under construction on the date of enactment of this bill

Making this determination is far from simple. The Tongass National Forest is 16 million acres and access is basically limited to boat and plane. Compliance with this provision would require Forest Service personnel field visits to numerous locations where road contracts are in effect to determine if or when road construction has begun.

Therefore, determining the construction status of roads in the Tongass would take considerable effort on the part of the Forest Service. This new substantial duty makes this amendment legislative in nature.

I ask the Chair to sustain my point of order.

The Acting CHAIRMAN (Mr. FOLEY). Does any Member wish to be heard on the point of order?

The gentleman from New Jersey (Mr. ANDREWS) is recognized.

Mr. ANDREWS. Mr. Chairman, I would urge that the point of order be rejected on grounds that the language my friend cites explicates and explains a limitation. This is a limitation amendment, and the language in the amendment simply establishes the scope of the limitation.

The test is not whether the limitation is difficult to figure out. The test is whether it imposes a new obligation. This language does not, and I would urge rejection of the point of order.

Mr. CHABOT. Mr. Chairman, I would also like to be heard very briefly.

I acknowledge, I recognize, I would agree with everything that the gentleman from New Jersey just said. I also might bring to the attention the fact that this is essentially the same amendment that was offered and held in order in the last Congress.

The Acting CHAIRMAN. Does any other Member wish to speak on the point of order? The Chair will rule momentarily.

The gentleman from California (Mr. POMBO) makes a point of order that the amendment offered by the gentleman from Ohio (Mr. CHABOT) proposes to change existing law, in violation of clause 2(c) of rule XXI.

As recorded in Deschler's Precedents, volume 8, section 52, even though a limitation or exception therefrom might refrain from explicitly assigning new duties to officers of the government, if it implicitly requires them to make investigations, compile evidence, or make judgments or determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2(c) of rule XXI.

The proponent of a limitation carries the burden of establishing that any duties imposed by the provision either are merely ministerial or are already required by law.

The Chair finds that limitation proposed in the amendment offered by the gentleman from Ohio (Mr. CHABOT) does more than merely decline to fund a certain activity. Instead, it requires the officials concerned to discern or

discover the dates on which various road-construction projects were commenced within the periods in which they were authorized to commence.

On these premises, the Chair concludes that the amendment offered by the gentleman from Ohio (Mr. CHABOT) proposes to change existing law.

Accordingly, the point of order is sustained, and the amendment is not in order.

Mr. ANDREWS. Mr. Chairman, I move to appeal the ruling of the Chair.

The Acting CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to withdraw my motion.

The Acting CHAIRMAN. Without objection, the appeal is withdrawn.

There was no objection.

AMENDMENT NO. 1 OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. RAHALL:

At the end of the bill (before the short title), insert the following new section:

SEC. ____ . LIMITATION ON USE OF FUNDS FOR SALE OR SLAUGHTER OF FREE-ROAMING HORSES AND BURROS.

None of the funds made available by this Act may be used for the sale or slaughter of wild free-roaming horses and burros (as defined in Public Law 92-195).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering this amendment on behalf of myself, the gentleman from Kentucky (Mr. WHITFIELD), the gentleman from New York (Mr. SWEENEY), and the gentleman from South Carolina (Mr. SPRATT).

Mr. Chairman, America is blessed with a rich natural heritage. Part of that heritage are the herds of wild horses, direct descendants of animals that came here with early explorers and missionaries, which still roam the ranges in parts of the American West.

In 1971, Congress formally protected these wild horses and mandated that they could not be sold or processed into commercial products, in effect, slaughtered.

Since that time, when the Bureau of Land Management has determined that the wild horse population is excessive to the ability of the range to support them, captured animals have been offered to the public through adoption.

All of that changed as a result of a rider tucked away in the dead of night in the massive omnibus appropriations bill enacted last December.

With no public notice or comment, this rider trashed 33 years of national policy and lifted the prohibition on the commercial sale of America's wild horses.

Today, the gentleman from Kentucky (Mr. WHITFIELD) and I, along with our colleagues, the gentleman from New York (Mr. SWEENEY) and the gentleman from South Carolina (Mr. SPRATT), are offering this amendment to restore that prohibition, to stop the slaughter.

There is an urgency here. So far this year, 41 wild horses that we know of have been sent to one of the three foreign-owned slaughterhouses in this country. Moreover, the BLM has estimated that 8,400 horses need to be sold to comply with the recent change in the law.

To what end? To what end, I ask? So their meat can end up on menus in France, Belgium and Japan where it is considered a delicacy.

Incredible, simply incredible. We do not allow the commercial sale of horse flesh in this country for human consumption, but we are exporting horse meat for that purpose abroad.

Since introducing the legislation which is the basis for this amendment, I have received an impressive volume of heartfelt letters and e-mails from across the Nation.

The very notion that wild American horses would be slaughtered as a food source for foreign gourmets has struck a chord with the American people.

They see in this issue the pioneering spirit and the ideals of freedom, and the current policy has created disillusionment with many over how their government works and what their elected leaders stand for.

From Florida, Stacey wrote, "Knowing that the horses won't be there for my kids has made me feel sad, hurt and angry at our government."

A former West Virginian named Valerie who now resides in Nevada wrote, "I, and our friends, have enjoyed going on to the desert to see wild horses roaming free."

Jeremy from Oregon wrote, "Your support will help to restore the public's confidence by assuring us that Congress operates under the principles of for the people and by the people."

We must restore the people's faith. We must stop the slaughter of these American icons.

A week and a half ago, an annual rite of spring was held called the Running of the Kentucky Derby, a uniquely American institution.

I am wearing on my lapel a pin here, a symbol which bears the likeness of Ferdinand who won the 1986 Derby and the 1987 Breeders' Cup Classic, notable achievements. Yet his reward was to end his life in a Japanese slaughterhouse. Ferdinand was not a wild horse, true, from the American plain, but the issue is one in the same.

As children, many of us recall reading the compelling story in the book "Misty of Chincoteague." What type of message would we be sending today's

youth if Misty was rounded up and sent to be slaughtered.

For Misty's sake, for America's sake, vote for the Rahall-Whitfield amendment.

Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. WHITFIELD), a cosponsor of the amendment.

Mr. WHITFIELD. Mr. Chairman, I want to thank the gentleman for yielding me time very much; and as he so aptly stated, we would not be here today except for the action of Senator CONRAD Burns in the last omnibus bill.

What this motion and amendment that we are proposing today is really about, it is not so much about a few wild mustangs and burros, only 31,000 remaining in the wild western grazing lands. But what this is really about, it is about the fact that we have 18,000 permits issued by the Bureau of Land Management to ranchers in the West on 214 million acres of land, of which these ranchers are paying less than six cents per acre, per year. Now that is a good deal, and I can understand why they would be excited about it. They are grazing over 8 or 9 million cows on this land, and we are talking about 31,000 wild mustangs and burros on this 214 million acres of land, and the ranchers do not want any wild mustangs or burros on this land. That is really what this is all about.

The question becomes, is it in the heritage of America to protect the few remaining wild mustangs and burros? This amendment simply reverses the Burns amendment and restores 37 years of public policy of protecting wild mustangs and burros.

I can tell my colleagues I have a lot of cattle ranchers in my district in Kentucky, and they are in Tennessee and Florida and Texas and Alabama and Mississippi and Louisiana and all around this country, and all of them pay a lot more than six cents per acre per year for these permits and for land.

I might also add that these 18,000 permits of ranchers on these grazing lands in the West provide only 2 percent of the cows slaughtered in America, and we all like a good steak. We want to continue slaughtering cows for steaks because they are raised for that purpose; but we also have a responsibility to protect wild mustangs and burros who are native to this country, who have been protected in this country. They simply lost that protection because of a 4,000 page omnibus bill, and none of us was aware that the Burns amendment was in it.

□ 1800

So that is what this amendment is about.

Mr. RAHALL. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to get briefly to the point.

We can all have our differences as it relates to this issue, but as my colleagues have pointed out so appropriately, surreptitiously last year, snuck into the omnibus bill, is a piece of legislation that many of us have disagreement over. We all agree in this appropriation process that that is not the way Congress ought to go about doing its business and, worse yet, that legislation overturned decades, indeed generations of Congressional policy.

Now, we can argue the substance and the differences as to whether this is economically feasible and right, and whether this is humane or not, but the fact of the matter is it was surreptitiously snuck in, it ought not to have happened, I believe it violates policy for more than a generation and 30 to 40 years of Congressional intent. We ought not to let that happen. So I urge my colleagues to support this amendment.

Mr. RAHALL. Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to claim the time in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, this issue is about the proper management of wildlife and public lands, and the Committee on Appropriations is in charge of trying to adequately fund the United States agencies. If we want to get into the question of whether or not the six cents is being paid for grazing land or anything else, you need to go to the authorizing committees and have a debate there and get it changed and so forth.

We in the Committee on Appropriations have a situation where wild horses and burros cost the taxpayers \$40 million annually. Now, this is more than BLM spends on all wildlife management activities on public lands. There are currently 24,000 wild horses and burros that are kept in short-term, or long-term, either way, holding facilities. They are not roaming free. They are being housed in these short-term facilities, and that is costing \$20 million, and they are living there until they die.

BLM has the authority to sell the older or unadoptable animals. Now, if they are 10 years or older, or if they have been offered three times for sale and been turned down, then this would give BLM the authority to sell these older, unadoptable animals and conserve the \$40 million that we are talking about. That is what we are asking, and we think that is a prudent measure, so we urge our colleagues to defeat this amendment.

Mr. Chairman, I yield 2½ minutes to the gentleman from Nevada (Mr. GIBBONS).

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for yielding me this time. I come from the district that

has by far and away more wild horses in it than any district in the United States, bar none. Of the 30,000 horses we are talking about, 20,000 of them are in the Second District of Nevada. This amendment, if it is passed, will be a rule of unintended consequences on what happens to the management of these horses.

My colleagues, in Nevada horses do not always look beautiful like the horse that we see in Black Beauty. Sometimes they are misshapen. Sometimes they are deformed. That is because we cannot manage 20,000 horses on land which does not look like Kentucky, does not look like West Virginia. These horses get starved, they are weakened, they become diseased and, of course, they are not as easily adopted as before.

If this amendment is passed, the unintended consequence will be to prevent the Bureau of Land Management from properly managing. And today this amendment is moot. The Bureau of Land Management today announced strict new rules for the sale of wild horses. These changes will ensure America's wild horses and burros go to good homes, and the new rules will expressly prohibit the sale of these animals for slaughter.

Specifically, before horses are sold buyers must sign a contract that will bind them to providing humane care for the horse or burro. Buyers cannot sell or transfer ownership of any of the purchased horses or burros to any person or organization that intend to process them for commercial products. Anyone falsifying or concealing information in that contract is subject to criminal penalties under U.S. law.

Additionally, the BLM is working to ensure that all three U.S. horse processing plants make certain any BLM horses, which are easily identified by a unique brand under its mane, are turned away and the proper authorities are notified.

In sum, the new BLM rules will make it a crime to sell wild horses for slaughter, yet will allow for the sale of these animals to buyers seeking to provide them good caring homes.

I applaud the Bush administration and the Bureau of Land Management for taking responsible action to assure America's wild horses and burros are cared for, and I would like to thank the Ford Motor Company and the Take Pride in America Program, which this amendment will stop dead in its tracks, for supporting BLM in this effort and creating the Save the Mustangs Fund.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Chairman, I rise in opposition to this amendment, and I certainly am one who is not in favor of the slaughtering of wild horses, but I am also as a fiscal conservative who is concerned about what happens along the way, because we are looking at a price of somewhere on the

order of \$20 million a year to take care of the horses that nobody wants to adopt right now.

There are some 37,000 wild horses and burros roaming on BLM managed lands in 10 western States. That is 9,000 more than the carrying capacity of the land. In the few seconds I have left, I want to show my colleagues this photo. This is from Nevada. This cage was put over this grass, and this is what the wild horses have done all around it, in terms of what happens in a fairly wet area. You get into the dry areas, and they completely overrun the range-land.

What we need to do is, if there is a problem with someone violating the law, we need to put the criminal penalties back in so they can be prosecuted, but the BLM have said they will not issue any contracts that will allow for any slaughter. Taking away their ability to sell the wild horses, however, will create a huge fiscal burden to the Federal Government and the taxpayer and not allow us to properly manage these herds.

So I urge a "no" vote on this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, this debate should be about one of public lands and wildlife management and nothing more. And I will be the first to say that I do not like to see these wild horses taken off the range, but at the same time they have to be properly managed.

Over the years, we in Congress and those in State governments have created a variety of methods to help control animal populations, whether it is placing a species under the protection of the Endangered Species Act when the numbers are dwindling or allowing increasing hunting for various species when the numbers of the species are too great. Wild horses should be no different.

We must remember that wild horses have virtually no natural predators and the herd sizes can double every 5 years. If these herds are not managed, wild horse numbers will increase at alarming rates. Left unmanaged wild horses not only degrade our public lands but they also create conditions where many times these horses would be unable to survive on their own.

In order to be good stewards of our public lands, these animals must be managed, and the only way to manage these herds is to take some of these animals off the range. The primary method for controlling horse populations has of course been adoption. But, unfortunately, adoptions have not kept up with our expanding wild horse and burro herds.

Mr. Chairman, I urge Members to oppose this amendment and support our public lands.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Chairman, I thank the chairman for yielding me this time and for his leadership on this issue.

Our public lands are of multiple use and must be managed for a variety of purposes, including hunting, grazing, fishing, recreating, wildlife, and many other uses. The Horse and Wild Burros Act recognized that horses and burros would have to coexist with these other uses and have been managed thusly since 1960.

Unfortunately, horse populations have far exceeded the desirable levels for years, causing serious resource damage. Serious-minded conservation groups, such as the National Association of Conservation Districts, the International Association of Fish and Wildlife Agencies, the Nature's Conservancy, and others have recognized the damage caused by these horses.

Balanced management must be restored in the public lands where wild horses roam. In an effort to achieve this balance, Congress gave the BLM the authority to sell the excess. All this, Mr. Chairman, has been said before, and I am not going to go into it again, except I will tell you that without this authority the only feasible option is leaving unadopted excess animals in contracted long-term holding facilities that we are now doing to the cost of at least \$9 million a year.

The loss of this new tool in selling would only mean that priority funding will keep going to care for and feed unadoptable animals instead of managing the number on the range and in balance with the demands of our other resources.

I would hope, Mr. Chairman, that my colleagues would see the wisdom in turning back this probably well-intended but misdirected amendment.

Mr. RAHALL. Mr. Chairman, I yield 30 seconds to the gentleman from Kentucky (Mr. WHITFIELD), the cosponsor of the amendment.

Mr. WHITFIELD. Mr. Chairman, I might add that BLM has already told us that under the Burns language they have no criminal penalties available to them. Even though they may put in a contract that a horse cannot be taken to slaughter they have no recourse if someone does it.

I would remind people once again that these are public lands, 214 million acres of land. We are talking about 30,000 wild horses we need to protect. We have companies like Ford Motor Company taking in horses now, and we have over 214 entities out in the country doing it. I think that there is plenty of money available.

Also, we would urge the BLM to euthanize horses rather than send them to slaughter. That is an option also. But this is a well-intended amendment and it would reintroduce the policy that has been the accepted policy in the U.S. for 37 years.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

In conclusion, Mr. Chairman, the gentleman from Kentucky has just

touched upon a very important point, and that is that there are alternatives available to the outright slaughter; adoption and euthanization. These are alternatives rather than the slaughter of these animals.

In regard to what the gentleman from Nevada said, that BLM has recently done, what BLM has proposed in the last day or two in an effort to head off the successful passage of this amendment is illegal under the change in law that was made by the omnibus appropriation bill last year.

And I would say to the distinguished chairman of the subcommittee, in defense of the gentleman from California (Mr. POMBO) and myself on the authorizing committee, this change was made in an appropriation bill, not in an authorization bill. Therefore, it is incumbent the change or reversal be done in an appropriation measure.

So I would urge that my colleagues look at the humane side of this amendment, look at what is only fair to these American icons and vote for the Rahall-Whitfield-Sweeney-Spratt amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of Committee on Agriculture.

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Chairman, this is one of those issues where our opponents are trying to use emotion to overwhelm good policy. As is usually the case in such debates, the results are exactly the opposite of what is being advocated.

So it is with the proposal to revoke the Secretary of Interior's authority to sell excess wild horses and burros. Ironically, rather than saving wild horses, the amendment will have the perverse effect of ensuring their numbers will stay at unsustainable levels, adoption efforts will be hampered, and thousands of old unadoptable horses will stay stuck in limbo in long-term holding facilities, or as the gentleman from Kentucky suggested, euthanized. Oh, that makes a lot of sense.

But this is what you get. This is what you get with this kind of policy, horses that are starving to death on the range. The BLM has conducted an analysis of their wild horse and burro program and determined that if they had not removed many of the wild horses from the range, prolonged drought, reduced forage production, and poor health would have resulted in large losses during the winter of 2005.

□ 1815

In Cedar City, Utah, for example, over 100 horses had to be removed from the range to prevent their suffering and potential starvation.

It is ironic that the authority that was used to save nearly 2,000 horses

this past year is the very authority the sponsors of this amendment are trying to repeal.

If this amendment prevails, the only method to remove these horses will be adoption, which historically has failed to keep up with the explosion of the population. Inadequacy of the adoption program has resulted in many of these horses being sentenced to spend the rest of their lives in long-term facilities unsuitable for wild horses. I urge my colleagues to oppose this amendment.

Mr. Chairman, this is one of those issues where our opponents are trying to use emotion to overwhelm good policy. As is usually the case in such debates, the results are exactly the opposite of what is being advocated.

So it is with the proposal to revoke the Secretary of the Interior's authority to sell excess wild horses and burros. Ironically, rather than saving wild horses, the amendment will have the perverse effect of ensuring that their numbers will stay at unsustainable levels, adoption efforts will be hampered, and thousands of old, unadoptable horses will stay stuck in limbo in long-term holding facilities. Horses on the range will, most likely, starve to death.

BLM has conducted an analysis of their wild horse and burro program and determined that if they had not removed many of the wild horses from the range, prolonged drought, reduced forage production and poor health would have resulted in large losses during the winter of 2005. In Cedar city, Utah, for example, over 100 horses had to be removed from the range to prevent their suffering and potential starvation. It is ironic that the authority that was used to save nearly 2000 horses this past year is the very authority the sponsors of this amendment are trying to repeal.

If this amendment prevails, the only method to remove these horses will be adoption, which historically has failed to keep up with the explosion of the population. Inadequacy of the adoption program has resulted in many of these horses being sentenced to spend the rest of their life in long term unsuitable for wild holding facilities.

Because of the overwhelming cost of these facilities at the expense of the federal government, the number of horses on the range is still well above the appropriate management levels called for in law. Furthermore, one-half of the entire wild horse and burro operating budget is used to take care of "unadoptable" horses held in these facilities. This amendment would only cause those costs to skyrocket at the expense of the adoption program.

Last year, Congress enacted a law that allowed BLM to sell unadoptable horses that are over 10 years old or have been offered unsuccessfully for adoption three times, until the appropriate management level is reached. These proceeds are then used by BLM to help promote and finance their adoption program.

Currently there are 8400 horses in these long term facilities that need to be moved on through the program in order to prevent malnutrition and starvation that is associated with the overpopulation of the range land herds. By denying the funds to implement the sale program for wild horses and burros, this irresponsible amendment would eliminate a far more

efficient tool in the management of the program. By not allowing BLM to keep the herd in manageable numbers, this amendment endangers the welfare of the wild horses by exacerbating the deplorable conditions these animals must try to survive in where their only escape is death by starvation.

Vote for the welfare of the wild horses. Vote "no" on the Rahall-Whitfield Amendment.

Ms. HERSETH. Mr. Chairman, today I will vote in support of the amendment to the FY06 Interior Appropriations Bill, offered by Mr. RAHALL, that will prevent the Secretary of the Interior from expending funds to conduct sales of wild horses for the next fiscal year. That said, I am not categorically opposed to the sale of wild horses that live on federal lands and will seek to work with my colleagues to find a feasible solution to the federal land management challenges that underlie this issue.

Initially, let me indicate that I believe the process by which Wild Free-Roaming Horse and Burro Act was amended, with language inserted in an omnibus appropriations act without any public hearings or comment, was extremely inappropriate and that fact alone is grounds for Congress to revisit this issue.

I strongly believe that we must provide the Bureau of Land Management (BLM) and all federal land management agencies the tools and the resources they need to conserve our precious public resources. Ultimately, this may mean granting horse-sale authority to the BLM. I do not believe, however, that these wild horses should end up in slaughterhouses. The fact that forty-one wild horses were recently slaughtered at a foreign-owned processing facility, and an additional fifty-two barely escaped the same fate, clearly demonstrates that the current sale program is flawed, despite BLM efforts to implement safeguards and pursue a measured approach in administering the sale authority.

Humane alternatives to slaughter obviously exist, and federal agencies already have the authority to carry out such humane actions as adoption, sterilization, relocation, and placement with qualified individuals and organizations. Federal land managers may simply lack the resources they need to carry out these alternatives, but the answers to such questions are currently unclear. I urge Chairman POMBO of the House Committee on Resources to hold hearings on this matter so that we can ascertain the status of the BLM's management authorities and resources. I pledge to work with him to find solutions to this issue. In the meantime, because I believe that a one-year moratorium on BLM's sale authority for wild horses is needed to allow this debate, I offer my support to the Rahall Amendment.

Mr. MORAN of Virginia. Mr. Chairman, I am pleased to support the amendment to the Department of the Interior appropriations bill being offered by Mr. RAHALL and Mr. WHITFIELD to help save a national treasure—the wild horse. The wild horse is known throughout the world as a symbol of the American west, and we should be doing everything we can to protect it.

At the turn of the 20th century there were more than one million horses roaming the vast lands of our west, however by 1971 that number dropped to approximately 60,000 due to the actions of their main predator—humans.

Public outcry and the work of a group of citizens lead by Wild Horse Annie forced Congress to find a solution and pass the Wild Free Roaming Horse and Burro Protection Act to protect the wild horse. Throughout the years this law has been eroded, and currently, there are only 35,000 wild horses living on our lands today. Current law will only make this number decrease more rapidly.

I was saddened to learn about the provision in last year's omnibus appropriations bill that would allow the sale of any wild horse that has been rounded up and is more than ten years old. Because of this provision, at least forty-one wild horses have needlessly been slaughtered. If we do not pass this amendment to ensure that no tax dollars are used for any sale of wild thousands more could lose their lives.

There is no need for this senseless slaughter. There are other options that we can explore rather than killing this majestic animal. The Bureau of Land Management could reopen over one hundred herd management areas or use animal contraception methods to keep the size of the herds manageable. There is simply no reason for these horses to be slaughtered for use as meat in other countries.

The horse is more than just an animal to our country. It is a beloved literary figure, a character in a movie or television show, a symbol of adventure, a friend of the cowboy, and an important part of our history. William Shakespeare once stated that horses were, "As full of spirit as the month of May, and as gorgeous as the sun in Midsummer." I can say it no better and encourage all of my colleagues to join me and support the Rahall-Whitfield amendment and help save the wild horse.

Mr. PORTER. Mr. Chairman, I rise today in opposition to the Rahall amendment. Although I appreciate the good intentions of this amendment, I am deeply concerned about its potential for unintended consequences. In restricting the ability of the Bureau of Land Management (BLM) to sell wild horses and burros under the Wild Horse and Burro Act of 1971, we are also restricting opportunities for responsible owners or groups to purchase horses that might have otherwise been sentenced to spend their lives in holding facilities or to starve on our rangelands. I disagree with the actions of individuals who purchased horses under the Act and then sold them to a slaughter plant; however, I do not believe that we should prohibit responsible people from purchasing wild horses due to the actions of a few.

This morning, the BLM announced new regulations that will strictly prohibit individuals who purchase wild horses from sending these animals to slaughter. The BLM has also entered into a partnership with Ford Motor Company to help protect these wild horses for future generations. I applaud the BLM for their proactive stance on this issue, and I am hopeful that their initiatives will be successful so that other horses are sent to slaughter.

Mr. Chairman, I represent a district in Nevada, a state that is home to more wild horses than all other states combined. Although I

agree that wild horses are a symbol of the American West, I also believe that it is the responsibility of Congress to ensure that these animals are managed, protected, and controlled in an effective manner. It is a fact that the current number of wild horses in the nation greatly exceeds the ability of the BLM or the land to handle these animals. This explosive growth causes significant resource damage, as well as damage to the animals themselves. The adoption authority granted under the Wild Horse and Burro Act of 1971 has historically failed to keep up with the growth of the wild horse population. We must work to maintain responsible and humane alternatives, such as sale authority, in order to ensure that these animals are properly cared for.

Our wild horses are already competing for scarce sources of food and water on rangelands in arid states like Nevada, causing many of them to waste into skin and bones. I believe that some of these horses should be allowed to be sold to good homes, where they can receive proper nourishment and veterinary care, as opposed to competing for little food and water in the wild or being held in long-term holding pens. This is why I am developing legislation that would offer an incentive for responsible people who would like to adopt or purchase a horse under the Wild Horse and Burro Act. This incentive will be dependent on a number of requirements, one of which will be that these animals cannot be sold to slaughter. I look forward to working with my colleagues on this issue.

The Acting CHAIRMAN (Mr. FOLEY). All time has expired.

The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. RAHALL. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DOOLITTLE:

At the end of the bill (before the short title), add the following new section:

SEC. 4 _____. None of the funds made available in this Act for the Department of the Interior may be used to implement the first proviso under the heading "UNITED STATES FISH AND WILDLIFE SERVICE—LAND ACQUISITION".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. DOOLITTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the provision in the fiscal year 2006 appropriations bill that is the subject of this amendment would allow the Fish and Wildlife Service to sell public lands in the Lower Klamath and Tule Lake Wildlife Refuges, and use the profits from the land sales to buy water rights.

None of the delegation, which, I might add, is represented by four of us from the areas that represents this area, had approved this provision; and the Department of the Interior failed to communicate their desire to implement this program to the relevant Members of Congress.

As Members of Congress whose constituents would be affected by a provision such as this, we feel it is necessary to have time to review the proposal in order to ensure that the proposed program best suits the needs of the local communities in our districts. I might add that this event represents a trend of continuous poor communication by the Department of the Interior and therefore we must ask that our amendment be adopted.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I thank the gentleman for bringing this to our attention, and we have no objection to the gentleman's amendment at this time.

The Acting CHAIRMAN. Does any Member rise in opposition to the amendment?

Hearing none, the question is on the amendment offered by the gentleman from California (Mr. DOOLITTLE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HASTINGS of Florida:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used in contravention of Executive Order 12898 (*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*) or to delay the implementation of that Order.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Chairman, I yield myself such time as I may consume.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, I rise today to offer an amendment to H.R. 2361 that is of critical importance to the health and well-being of minority and low-income communities throughout the United States.

In an effort to cut down on the time constraints, let me just briefly explain the amendment. It prohibits the EPA from using funds in this bill to work in contravention of Executive Order 12898 and delay the implementation of that order.

My amendment makes clear Congress's support for the executive order and its original intention to achieve health and environmental equity in minority and low-income communities.

Mr. Chairman, to seek out environmental justice is an effort to achieve health and environmental equity across all community lines. In adopting my amendment, Congress will call on EPA to move forward with the identification of at-risk minority and low-income communities so appropriate steps can be taken to improve their health and well-being.

Justice should never be reserved only for those who can afford to help themselves. I ask for my colleagues' support to ensure EPA takes the appropriate steps to protect minority and low-income communities from continued environmental injustices.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, the amendment requires EPA to comply with the executive order by the first President Bush dealing with environmental justice. We have no objection to the amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I include for the RECORD the findings of the EPA Inspector General Report and those in support of the amendment.

EVALUATION REPORT: EPA NEEDS TO CONSISTENTLY IMPLEMENT THE INTENT OF THE EXECUTIVE ORDER ON ENVIRONMENTAL JUSTICE—REPORT NO. 2004-P-00007—MARCH 1, 2004

EXECUTIVE SUMMARY

Purpose

In 1994, President Clinton issued Executive Order 12898, "Federal Action to Address Environmental Justice in Minority Populations and Low-income Populations," to ensure such populations are not subjected to a disproportionately high level of environmental risk. The overall objective of this evaluation was to determine how the U.S. Environmental Protection Agency (EPA) is integrating environmental justice into its day-to-day operations. Specifically, we sought to answer the following questions:

How has the Agency implemented Executive Order 12898 and integrated its concepts into EPA's regional and program offices?

How are environmental justice areas defined at the regional levels and what is the impact?

Results in brief

EPA has not fully implemented Executive Order 12898 nor consistently integrated environmental justice into its day-to-day operations. EPA has not identified minority and low-income, nor identified populations addressed in the Executive Order, and has neither defined nor developed criteria for determining disproportionately impacted. Moreover, in 2001, the Agency restated its commitment to environmental justice in a manner that does not emphasize minority and low-income populations, the intent of the Executive Order.

Although the Agency has been actively involved in implementing Executive Order 12898 for 10 years, it has not developed a clear vision or a comprehensive strategic plan, and has not established values, goals, expectations, and performance measurements. We did note that the Agency made an attempt to issue an environmental justice toolkit; endorsed environmental justice training; and required that all regional and programmatic offices submit "Action Plans" to develop some accountability for environmental justice integration.

In the absence of environmental justice definitions, criteria, or standards from the Agency, many regional and program offices have taken steps, individually, to implement environmental justice policies. This has resulted in inconsistent approaches by the regional offices. Thus, the implementation of environmental justice actions is dependent not only on minority and income status but on the EPA region in which the person resides. Our comparison of how environmental justice protocols used by three different regions would apply to the same city showed a wide disparity in protected populations.

We believe the Agency is bound by the requirements of Executive Order 12898 and does not have the authority to reinterpret the order. The Acting Deputy Administrator needs to reaffirm that the Executive Order 12898 applies specifically to minority and low-income populations that are disproportionately impacted. After 10 years, there is an urgent need for the Agency to standardize environmental justice definitions, goals, and measurements for the consistent implementation and integration of environmental justice at EPA.

Recommendations

We recommended that the Acting Deputy Administrator issue a memorandum reaffirming that Executive Order 12898 is an Agency priority and that minority and low-income populations disproportionately impacted will be the beneficiaries of this Executive Order. Additionally, EPA should establish specific time frames for the development of definitions, goals, and measurements. Furthermore, we recommended that EPA develop and articulate a clear vision on the Agency's approach to environmental justice. We also recommended that EPA develop a comprehensive strategic plan, ensure appropriate training is provided, clearly define the mission of the Office of Environmental Justice, determine if adequate resources are being applied to environmental justice, and develop a systematic approach to gathering information related to environmental justice.

Agency comments and OIG evaluation

In the response to our draft report, the Agency disagreed with the central premise that Executive Order 12898 requires the Agency to identify and address the environmental effects of its programs on minority and low-income populations. The Agency believes the Executive Order "instructs the Agency to identify and address the disproportionately high and adverse human health or environmental, effects of it (sic) programs, policies, and activities." The Agency does not take into account the inclusion of the minority and low-income populations, and indicated it is attempting to provide environmental justice for everyone. While providing adequate environmental justice to the entire population is commendable, doing so had already been EPA's mission prior to implementation of the Executive Order; we do not believe the intent of the Executive Order was simply to reiterate that mission. We believe the Executive Order was specifically issued to provide environmental justice to minority and/or low-

come populations due to concerns that those populations had been disproportionately impacted by environmental risk.

A summary of the Agency's response and our evaluation is included at the end of each chapter. The Agency's complete response and our evaluation of that response are included in Appendices D and E, respectively.

MAY 19, 2005.

Re support the Hastings Environmental Justice Amendment

DEAR REPRESENTATIVE: On behalf of our organizations, members, and supporters nationwide, we write to express our support for Representative Alcee Hastings' (D-FL) environmental justice amendment that will be offered to the Interior-EPA Appropriations bill.

The Hastings amendment will ensure that funds spent at the U.S. EPA cannot be spent in any way that conflicts with the 1994 Executive Order "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." EO 12898 directs each federal agency to develop an environmental justice strategy "that identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, or activities on minority populations and low-income populations" with the goal of achieving equity in federally-funded programs for those communities.

The Hastings amendment is needed to get EPA to take the next steps that are needed to achieve the promise of fairness and equal treatment for minority and low-income communities in federal environmental programs.

Studies conducted by both government and non-government panels, including the National Academy of Sciences and the United Church of Christ have found that minority and low-income communities experience greater and more frequent exposures to unhealthy levels of environmental pollutants than other communities.

This problem was first addressed at EPA in 1992 when President George H.W. Bush created the Office of Environmental Equity at EPA (now the Office of Environmental Justice); it was addressed a second time by President Clinton, when he issued the Executive Order in 1994. Yet the EPA has so far failed to adopt needed measures to meaningfully address and correct this unequal treatment under environmental laws. The agency's failure to move forward on the important issue of environmental justice has been documented recently by the U.S. Commission on Civil Rights, and the EPA's Office of the Inspector General.

The Hastings amendment does not place new requirements on the EPA, but rather provides direction for the agency to fulfill its longstanding obligation to ensure that minority and low-income populations are not exposed to dangerous and disproportionately high levels of air pollution, water contamination, toxic hazards, or other environmental and health threats in their communities.

We urge you to cast your vote in support of the Hastings environmental justice amendment.

Sincerely,

Roger Rivera, President, National Hispanic Environmental Council; Robert D. Bullard, Director, Environmental Justice Resource Center, Clark Atlanta University (Atlanta, GA); Ansje Miller, Director, Environmental Justice & Climate Change Initiative (Oakland, CA); Beverly Wright, Director, Deep South Center for Environmental Justice, Dillard University (New Orleans, LA); Craig Williams, Director, Chemical Weapons Working Group (Berea, KY); Martin Hayden, Legislative Director, Earthjustice; Michael

Greene, Director, Center for Environmental Health (Oakland, CA); and David Christian, President, Serving Alabama's Future Environment (Jacksonville, AL).

Hilary Shelton, Director, Washington Bureau, NAACP; Martina Cartwright, Director, Environmental Law & Justice Center, Texas Southern University (Houston, TX); Peggy Shepherd, Executive Director, West Harlem Environmental Action (New York City, NY); Henry Clark, Director, West County Toxics Coalition (Richmond, CA); Tom Stephens, Director, National Lawyers Guild, Sugar Law Center (Detroit, MI); Luke Cole, Director, Center for Race, Poverty and the Environment (San Francisco, CA); Rufus Kinney, President, Families Concerned About Nerve Gas Incineration (Anniston, AL); and Reverend N.Q. Reynolds, President, Calhoun County Chapter of the Southern Christian Leadership Conference (Anniston, AL).

Robert O. Muller, President, Vietnam Veterans of America Foundation; Evelyn Yates, President, Pine Bluff for Safe Disposal (Pine Bluff, AR); John Nunn, President, Coalition for Safe Disposal (Worton, MD); Karyn Jones, President, GASP (Hermiston, OR); J. Daryl Byler, Director, Mennonite Central Committee Washington Office; Vernice Miller-Travis, Miller-Travis & Associates, (Washington, DC); Donele Wilkins, Executive Director, Detroiters Working for Environmental Justice; and Monique Harden, Co-Director, Nathalie Walker, Co-Director, Advocates for Environmental Human Rights (New Orleans, LA).

Jeanette Champion, President, Citizens for Environmental Justice (Anniston, AL); Sara Morgan, President, Citizens Against Incineration at Newport (Newport, IN); Jason Groenwald, Director, Families Against Incinerator Risk (Salt Lake City, UT); Peter Hille, President, Kentucky Environmental Foundation (Berea, KY); Douglas Meiklejohn, Executive Director, New Mexico Environmental Law Center (Santa Fe, NM); Rev. Anthony Evans, Director, National Black Church Initiative; and National Black Environmental Justice Network.

Mr. HASTINGS of Florida. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. HEFLEY: At the end of the bill (before the short title), insert the following:

SEC. ____ Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by \$261,591,250.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Colorado (Mr. HEFLEY) and the gentleman from North Carolina (Mr. TAYLOR) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment is identical to those I have offered to appropriations bills for the past couple of

years. The amendment trims outlays for H.R. 2361 by 1 percent under the Holman Rule, which means if the amendment passes, it will be up to the administration to determine where the cuts will fall.

I want to thank the gentleman from North Carolina (Mr. TAYLOR), the gentleman from Washington (Mr. DICKS), the ranking member. As always, they have done a solid job of this. I understand the dynamics of bringing a bill out of committee. They have done a good job. They are below what would have been expected, but we are still not at a balanced budget; and so I offer this amendment.

In fact, just the other day a Democratic colleague mentioned this bill and said the gentleman from North Carolina (Mr. TAYLOR) is "as tight as a snare drum," and I take that as an extreme compliment. That said, I do not think the funding levels of this bill are reflective of a country with a \$340 billion deficit.

The amendment would trim a penny on the dollar across the agencies funded by this bill. Despite the stripped-down character of the bill, I think there are still some areas worthy of examination.

For example, the Kennedy Center for Performing Arts. Some years ago as a member of the House Interior Committee, I heard testimony on deaccessioning the Kennedy Center from the National Park Service. James Wolfensohn, its director and later head of the World Bank, pleaded with the subcommittee to cut the center loose. He said the center needed millions of dollars in structural repairs, yet he could not move forward on them because of the Park Service contracting requirements and inflated costs. "Let us raise our own funds and we will be able to do this much more efficiently," he said. And so we did.

We got rid of the Kennedy Center, except that we did not really. The only National Park Service cut loose in the past 20 years, supposedly, and yet in this bill it includes \$17.8 million for operation and maintenance at the Kennedy Center and \$10 million for construction.

Now, I know the Kennedy Center has serious structural problems, but given the legislative history of this issue, I would like to know how long we are going to continue to have this center that we have to fund. That is just one example.

I question whether the various agencies really need all of the new vehicles authorized in this bill. I estimate at least \$5 million for those. I question some of the administrative accounts.

The chairman has done a fine job in reining in costs, particularly in the area of land acquisition; but at a time of a \$300-plus million deficit, we need to do more. This amendment would do that. Even in a small way, I encourage support of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the gentleman's amendment. The gentleman makes good points, and if he and I were the only two Members of Congress, we could probably sit down and come up with a tighter bill. There are 435 Members in the House, and we have 100 over in the Senate. We have tried to put together a balanced bill. Because of that, we have cut many things and had a very difficult time in doing it. I would have to strongly object to the gentleman's amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have fought over the last few years to reinsert funding for the Park Service to take care of their uncontrollable costs, and we had a hard time doing that. We find out that 1 percent, when it is added up, is \$261 million. That is a very significant hit on these accounts in this important agency.

I would urge that Members support the chairman and we vote this amendment down.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back the balance of my time.

Mr. HEFLEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. STUPAK

Mr. STUPAK. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. STUPAK:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to finalize, issue, implement, or enforce the proposed policy of the Environmental Protection Agency entitled "National Pollutant Discharge Elimination System (NPDES) Permit Requirements for Municipal Wastewater Treatment During Wet Weather Conditions", dated November 3, 2003 (68 Fed. Reg. 63042).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. STUPAK) and the gentleman from North Carolina (Mr. TAYLOR) each will control 10 minutes.

The Chair recognizes the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I yield myself such time as I may consume.

(Mr. STUPAK asked and was given permission to revise and extend his remarks.)

Mr. STUPAK. Mr. Chairman, our amendment would stop the EPA from moving forward with a dangerous proposal that would allow more partially treated sewage into our waterways. This morning the EPA issued a statement saying it will not finalize its current proposal. The EPA has been mulling over this policy change for nearly 2 years.

I am pleased to see that the EPA has now recognized that this policy proposal is bad for our health, bad for our environment, and bad for business. Now Congress needs to seal the deal by passing our amendment to make sure this misguided proposal is gone for good.

Let me clarify something that has been misunderstood. Our amendment will not cost a thing. It will not change a thing. It leaves things just the way they are right now.

Currently, clean water rules say during major wet weather events, sewage treatment plants are allowed to combine the filtered but untreated human sewage with fully treated waste water before discharge, in a process known as "blending," when no other feasible alternative exists.

The EPA's 2003 proposal would weaken current environmental standards by allowing facilities to discharge largely untreated sewage virtually anytime it rains. Our amendment simply stops the EPA from weakening existing environmental standards and requires that sewage be effectively treated to remove the viruses, parasites, and bacteria that make people sick.

I know many of my colleagues are hearing that this amendment will pose astronomical costs on local communities. That is simply not true. This amendment will not cost communities a dime. Our amendment would maintain the current policy. It would not prevent utilities from blending under any of the current allowable legal circumstances. It would merely support current safeguards which do not allow blending when full treatment is feasible. Let me repeat that. Our amendment will not ban blending.

We have a clear policy choice. Should we provide effective treatment for sewage, remove pollutants that poison drinking water sources, close beaches, contaminate shellfish, make people sick, and rob the water of oxygen the fish need to breathe? Or should we allow routine discharges of inadequately treated sewage virtually every time it rains? To ask the question is to answer it. The choice is clear just as it has been under the Clean Water Act for the past 30 years.

Congress needs to send a strong, clear message on behalf of our constituents. We do not want human waste in the water we drink and swim in. As a step in the right direction, vote "yes" on the bipartisan Stupak/Shaw/Pallone/Miller amendment.

GROUPS WEIGHING IN AGAINST EPA'S SEWAGE PROPOSAL

American Littoral Society; American Public Health Association; American Shore and Beach Preservation Assoc.; American Rivers; Children's Environmental Health Network; Citizens Campaign for the Environment; Clean Ocean Action; Clean Water Action; Coast Alliance; East Coast Shellfish Growers Association; Earthjustice; US Conference of Catholic Bishops; Environmental Integrity Project; and Coalition on the Environment and Jewish Life.

Lake Michigan Federation; League of Conservation Voters; National Fisheries Management Institute; Natural Resources Defense Council; New York Rivers United; Pacific Shellfish Growers Association; Physicians for Social Responsibility; Riverkeeper, Inc.; Sierra Club; Surfers' Environmental Alliance; Surfrider Foundation; The Ocean Conservancy; US PIRG; and US Conference on Catholic Bishops.

Mr. Chairman, I thank the gentleman for raising this concern and want to clarify this issue for him.

The short answer is "no."

My amendment would not change the existing requirements for CSO communities, which are outlined in the 1994 CSO Policy and were incorporated in the CWA in 2000.

The CSO policy allows combined sewer systems to bypass secondary treatment when it is not feasible to provide full treatment for sewage.

Bypassing is allowed under the CSO policy as part of a long-term plan to minimize sewer overflows and maximize treatment.

EPA's proposed sewage dumping policy is inconsistent with the 1994 CSO policy because it would allow bypassing full treatment even when it is feasible.

The proposed policy would undercut those communities investing in long-term solutions that are protective of public health, the environment, and downstream economies.

The proposed policy would also allow separate sanitary sewer systems to bypass secondary treatment and discharge largely untreated sewage even if full treatment would be feasible, as it should be under normal operating conditions for most well operated and maintained separate sanitary systems.

Given the heavy load of viruses, parasites, bacteria, toxic chemicals, and other contaminants in sewage, it is critical that sewage treatment plants strive to achieve full treatment, not just discharge poorly treated sewage because it is cheaper to do so.

I also incorporated Mr. MEEHAN's statement relating blending policy to this statement.

Mr. STUPAK. Mr. Chairman, I reserve the balance of my time.

□ 1830

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

First I all I would like to read a letter from the Assistant Administrator of the Environmental Protection Agency:

"Dear Chairman Taylor:

"This is regarding the November 2003 Draft Blending Policy which addresses the management of peak wet weather flows at municipal wastewater treatment facilities. The draft policy received extensive public comment and has been the subject of considerable on-

going discussion and debate, including being the focus of a recent hearing before the House Subcommittee on Water Resources and Environment.

"Based on our review of all of the information received, we have no intention of finalizing the blending policy as proposed in November 2003. We continue to review policy and regulatory options to manage this issue."

I think this letter is self-explanatory.

Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), the distinguished chairman of the Subcommittee on Water Resources and Environment.

Mr. DUNCAN. I thank the gentleman for yielding me this time.

Mr. Chairman, the author of this amendment, the gentleman from Michigan (Mr. STUPAK), is a good man and a good friend of mine and I think he is well intentioned, but I think my colleagues should know that this amendment is opposed by the U.S. Conference of Mayors, the National League of Cities, the National Association of Counties, the National Rural Water Association, and 38 other national and State water organizations whose job it is to protect the environment and provide communities with clean water.

Let me tell you why these organizations oppose this amendment. Communities all over the country have wastewater treatment plants that are designed and permitted to allow blending during extreme wet weather events. That is only a very small percentage of the time, usually maybe 2 or 3 percent.

These plant designs allow communities to prevent sewer overflows and meet all Clean Water Act standards in a cost-effective way. If blending is prohibited, then cities like Atlanta, Detroit, Cincinnati, Tacoma, Portland, Oregon, Boston and many, many others would have to spend billions of dollars to change their wastewater treatment plant designs, all to deal with extreme wet weather events that occur only once or twice a year. Some individual cities could have to spend as much as \$100 million on this or perhaps even more.

Blending has been mischaracterized as the discharge of raw sewage. This is not true. Here are the facts. During normal dry weather operation of a typical wastewater treatment plant, the wastewater receives three stages of treatment: solids removal, biological treatment, and disinfection. During extreme wet weather events, wastewater flows can exceed the capacity of the biological treatment unit. In those cases a plant then treats it twice. This blending does not mean the discharge of raw sewage into any river or waterway. These flows are recombined and blended with wastewater chemical treatments and so forth and disinfection so that it meets all Clean Water Act water quality and technology-based treatment standards.

This practice is not a bypass around treatment because it is part of the plant's permitted treatment design.

We held a hearing on this. Let me just tell you a few quotes from some of the experts.

One person from the Ohio River Valley Water Sanitation Commission said, "In the case of the Ohio River, without our blending policy more untreated overflows would occur and the water quality impacts of wet weather would be more damaging."

The head of an agency in California said, "With blending, our member communities can provide the maximum clean water treatment possible to unpredictable, exceptionally heavy rains and snowmelt, while still meeting permit limits which are set to protect public health and the environment."

A water executive from Little Rock, Arkansas, said, "Blending protects public utility infrastructure by preventing washout of sensitive biological systems and protects public health and private property."

Another official said, "A prohibition of blending will result in the need for extremely expensive facility upgrades that will not result in any meaningful improvement to water quality or protection of the public health."

If we prohibit blending, it will cause worse environmental trouble than if we allow these experts and these utilities to proceed with it. There is a lot of misunderstanding on this issue. What we should do is we should work with the gentleman from Michigan because what he wants to accomplish and what we want to accomplish is really the same thing. We need to have more work on this before we leap into this very complicated situation.

Mr. STUPAK. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SHAW), one of the cosponsors of this amendment.

Mr. SHAW. I thank the gentleman for yielding me this time.

Mr. Chairman, I am very pleased to offer this amendment along with my colleagues because the EPA's proposed guidance would hurt water treatment practices already in place in my home State of Florida.

Governor Jeb Bush and the Florida Department of Environmental Protection support this amendment. I am not here to impose any added costs to treatment plants. There is a rumor, as has just been expressed by my friend from Tennessee, that our amendment would cost upwards of \$200 billion in added costs to cities. This is just plain wrong. Our amendment does not impose any new regulations. It simply allows cities and States to maintain their current level of water treatment practices. Florida has a higher level of treatment and should not be forced to step back.

I urge my colleagues to vote "yes" on the Stupak-Shaw-Pallone-Miller amendment. A "yes" vote is a vote for safe, clean water.

Mr. STUPAK. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. PALLONE), also a cosponsor of our amendment.

Mr. PALLONE. Mr. Chairman, I am also pleased to be a cosponsor of this amendment.

Let me be very clear. This amendment would not ban all blending. In fact, it would have no effect on any currently permitted uses of blending. The Clean Water Act already says you can blend but only during a serious rain event. The EPA's proposed policy change, however, would let sewer operators bypass secondary treatment anytime it rains. That is what really could add a lot more sewage to our waters.

I have been fighting this proposal every step of the way and the EPA has finally said they are not going to do it. However, we must make sure that they do not. I understand that the EPA is now saying they are no longer going to finalize this proposed policy change, but they could change their mind tomorrow.

It should be a very easy vote for Members. We are saying that this is a bad idea. The EPA is now saying it is a bad idea. We are just making sure that the EPA actually does what it says it will do, because, who knows, tomorrow they may change their mind. But I do not want anybody here to think that all blending is going to be banned. You can still do it during a serious rain event, but you should not be allowed to do it anytime you want because that is going to increase tremendously the volume of material that does not have secondary treatment. And you will not have secondary treatment if you allow this policy to go ahead. It will be able to make an exemption anytime you please, and that is the problem. Our waters will get dirty. It will affect our tourism, our shellfish in coastal States around the country. Do not allow it to happen.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Does the gentleman intend his amendment to have any impact on the policies of the EPA regions and States that allow blending today and have issued permits allowing blending?

Mr. STUPAK. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Michigan.

Mr. STUPAK. Mr. Chairman, I thank the gentleman for his question, but our amendment does not intend to have any impact on any of the existing policies of EPA regions and States that allow blending or on any Clean Water Act permit that allows blending. We are saying maintain the status quo.

Mr. TAYLOR of North Carolina. Mr. Chairman, reclaiming my time, we would accept the gentleman's amendment under that representation.

Mr. Chairman, I reserve the balance of my time.

Mr. STUPAK. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. MILLER), also a coauthor of this amendment.

Mr. MILLER of Florida. I thank my good friend for yielding time.

Mr. Chairman, obviously we are here tonight to talk about just a common-sense issue in regards to this blending issue. I, in fact, have been involved in the construction of and the management of wastewater treatment plants. Blending is used obviously in very high water times and I think that that is an issue that we have heard raised tonight. We are not in any way trying to stop the issue of blending during the storm season, but the fact of the matter is, in 2003 there were more than 18,000 closings or advisories around the United States and that was 5,000 more than ever at any time before. These closings were due to fecal coliform increases in bacterial levels outside of the norm.

The fact of the matter is it does not take a medical degree to understand that this is a health issue for our families and our children that are out there that are actually swimming sometimes in this waste. In fact, we are looking at the blending of untreated solid free waste with treated sewage. The Clean Water Act already allows for that blending to take place.

As the gentleman from Michigan says, we are not trying to change the last resort issue. What we are trying to do is to set up an issue where we cannot have these wastewater treatment plants continue to dump more less treated or smaller treated wastewater into our waterways.

Mr. STUPAK. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Chairman, I rise in strong support of this amendment offered by my colleagues which will prevent the EPA from finalizing a policy that may increase the risks of waterborne illness and harm our Nation's waterways. Thirty-three years after the passage of the Clean Water Act, the EPA should not be implementing policies which will allow more sewage into our waterways. Such a policy could result in water systems with more pathogens, viruses, bacteria and parasites that make people sick, contaminate our drinking water supplies, harm fish and other aquatic life.

I believe this is a misguided policy. The use of secondary biological treatment to remove bacteria and pathogens from sewage has been in place for decades in order to protect the public from waterborne illnesses, and I believe we must preserve these longstanding standards. Blending waste streams at times other than natural emergencies will result in an unnecessary discharge of harmful contaminants into our waters. We have a responsibility to fully treat all wastewater, and the EPA's proposal to bypass the crucial second treatment step and allow more bacteria into our local water sources is just plain wrong.

We should be focused more on strengthening the federal commitment to water infrastructure, which we all know has been stagnant for many years now.

I plan soon on reintroducing my bill, the Clean Water Infrastructure Financing Act,

which will authorize funding levels in the Clean Water State Revolving Fund which better reflect the considerable depth of our Nation's wastewater infrastructure needs.

I urge strong support for this amendment because we must invest in effective sewage treatment to help ensure that our constituents are protected from health hazards. Effective sewage treatment will reduce the risk of waterborne illness and protect public health.

Again, I thank my colleagues Mr. STUPAK, Mr. SHAW, Mr. MILLER and Mr. PALLONE for offering this important amendment and urge strong support from my colleagues.

I would also like to thank my colleagues Mr. TAYLOR and Mr. DICKS and their staff for their hard work with the difficult task of putting this bill together.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) who supports the amendment.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I thank the gentleman from North Carolina for agreeing to this amendment.

Mr. Chairman, water is one of the most precious resources Floridians possess. Representing several of the State's largest water reserves, protecting the quality and availability of our water has always been a top priority.

Unfortunately, the EPA is proposing this dumping rule that would damage the integrity of America's water. The proposed rule which they now have said that they are not going to implement was not a very well thought out one. The blended wastewater concept would then be discharged into our waterways. The consequences of this strategy could be very dire. Certainly in a State like Florida where we have more than our share of heavy rains during rainy season, and you can be darn sure we are going to have a lot of hurricanes again, it would be virtually playing Russian roulette every time that citizens would be drinking tap water.

I cannot in good conscience allow the rule to go forward and have that communicated to the EPA. I am very delighted that today a letter did come from them that they are not going forward with this. But keeping it in the legislation is very wise policy.

Mr. STUPAK. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK) who has been helping us on this amendment.

Mr. FITZPATRICK of Pennsylvania. Mr. Chairman, I rise tonight in strong support of the Stupak amendment to the Interior appropriations bill. This amendment will stop the EPA's ill-advised proposal to allow treatment plants to dump untreated sewage into our Nation's waterways.

Mr. Chairman, the EPA's proposed change is just plain a bad idea. In fact, just this morning as we have heard, the EPA recognized just how bad an idea it was and announced that it was reconsidering its proposal. It is a bad idea to permit our water to contain bacteria, viruses, parasites and intestinal worms

capable of causing cholera, hepatitis, gastroenteritis and dysentery. The EPA steps backward when it advocates for polluters to discharge half-way-treated sewage into our Nation's waters. Notwithstanding today's EPA decision to reconsider its proposed policy change, it remains necessary to pass this amendment.

I urge my colleagues to vote in favor of the amendment and ensure that the EPA does not change its mind again and attempt to impose an imprudent sewage blending policy on America at some point in the future.

Mr. STUPAK. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois (Mr. KIRK) who has been very helpful on this amendment.

Mr. KIRK. Mr. Chairman, I thank the gentleman for yielding time. I want to really applaud the gentleman from Michigan for putting together a truly bipartisan amendment that not only put together a broad coalition of Members in this House, including the chairman of the subcommittee, who has accepted the amendment, to stop this blending regulation.

□ 1845

We all saw when Milwaukee dumped over 4 billion gallons of sewage into Lake Michigan just last year and an incredible rise in the number of beach closings along the Illinois shoreline: Nine in Glencoe, 12 in Wilmette, 34 in Winnetka, a rising tide of dirty water that would have been increased with this.

But what this bipartisan amendment has done is it has backed down the EPA. Thanks to his work and Members on both sides of this aisle, the EPA has largely accepted what this amendment would have already laid out and have stopped this regulation. It is going to listen to the Congress on environmental protection, and I really want to thank my subcommittee chairman for accepting this amendment.

The Acting CHAIRMAN (Mr. FOLEY). The time of the gentleman from Michigan (Mr. STUPAK) has expired. The gentleman from North Carolina (Mr. TAYLOR) has 4 minutes remaining.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. STUPAK. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Michigan.

Mr. STUPAK. Mr. Chairman, I thank the chairman for yielding to me.

Can the chairman clarify that the intent of our amendment is to ensure that all EPA regions and all the permits that are written will comply with the current Clean Water Act rules and safeguards? Is that his intent also?

Mr. TAYLOR of North Carolina. Mr. Chairman, reclaiming my time, it is my understanding, but I would like to talk with the gentleman. This is a new area, a new part of the committee, and I would like to work with him as we go

on with the bill toward conference. But that is my understanding.

Mr. STUPAK. Mr. Chairman, if the gentleman will continue to yield, with the understanding, and it is certainly our understanding, that all EPA regions and all permits that are written must comply with the Clean Water Act rules and safeguards, and that is the only thing we are trying to do here. We are not trying to change anything. So with the assurances from the chairman that he will make sure that that is what we are going to do and we have some time to clarify this even further, we will not ask for a recorded vote. We accept his courtesy that he will accept our amendment and make it a part of the bill, and we look forward to working with him on this and other related matters.

I want to thank the gentleman from Tennessee (Mr. DUNCAN) also for his work in this area, along with the gentleman from Washington (Mr. DICKS) and the Members on our side.

Mr. TAYLOR of North Carolina. Mr. Chairman, reclaiming my time, I appreciate the gentleman's activity. We will work with him.

Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, at this point I had intended to offer an amendment to the Stupak amendment because I am certainly in support of the content. But given the agreement that has been reached between the two parties, there is no need for me to offer that amendment.

I would simply observe, however, that I hope we do not kid ourselves. It is very good that this amendment is being adopted, but it again illustrates the need for, in fact, increasing, rather than reducing, the amount of money that we put into the Clean Water Revolving Fund, and I would hope that we would remember this as the bill goes through the system because we can avoid controversies such as this. We can avoid putting EPA into a position of even considering such an outlandish regulation if we are providing much more by way of financial help to the communities so that they will not be concerned about stiffening EPA regulations to protect public health.

Mr. MEEHAN. Mr. Chairman, I move to strike the last word.

Mr. MEEHAN. Mr. Chairman, I rise to applaud my good friend, the gentleman from Michigan, for his commitment to protecting public health and the environment.

Over the last century, the nation's wastewater infrastructure has resulted in enormous strides in improving public health.

I represent the Merrimack Valley region of Massachusetts.

The Merrimack River was once among the most polluted waterways in the nation.

Moreover, the northeast is ridden with out-moded sewer infrastructure that is designed to overflow into public waterways.

During heavy weather, these combined sewer systems steer raw, untreated sewage

into rivers like the Merrimack, and bays such as Casco bay in Maine.

The challenge to control cso's has been both of technical and financial feasibility.

Some treatment plants use a blending by-pass during periods of heavy weather so that cso's receive some treatment rather than none at all.

In economically-distressed communities such as Lawrence, Haverhill, and Lowell that have combined sewer systems, it is not currently possible to provide full treatment for all sewage during wet weather.

I seek assurance from the gentleman from Michigan that his amendment would not prohibit cso communities from blending if it is authorized by their permits in accordance with the Clean Water Act.

Mr. DAVIS of Illinois. Mr. Chairman, I rise in strong support for the Stupak/Shaw anti-sewage dumping amendment. Each year, 850 billion gallons of contaminated sewage poisons lakes, rivers, and oceans each year. Discharging inadequately treated sewage into our waterways harms the environment, our constituents' health, and even our economic growth. By permitting "blending" during standard weather systems, we are providing our citizens with a false sense of security that we are furnishing them with safe conditions. When the secondary treatment of sewage water is sidestepped, the citizens face exposure to viruses, parasites, bacteria, and toxic chemicals that can cause Hepatitis A and Giardia. Further, this puts small children, the elderly, and those already vulnerable by other illnesses with additional life threatening conditions. Not only is health at risk, but the economy. Many industries work from lake and ocean commodities. Subsequently, blended sewage in the water would destroy much of their viable product. In my own district, in the heart of Chicago, routine blending will inhibit my constituents' use of the lakefront beaches, harm our water industries, and make the drinking water dangerous and even deadly.

These devastating and misguided decisions will damage not only the current, and already failing situation, but also our long term solutions. By allowing routine blending, it will only increase the concentration of the contaminant in our environment. Other solutions must be considered. For example, constructing additional facilities to hold sewage until it is fully treated can transfer some of the overflow problem. Therefore, I urge my fellow colleagues to prohibit these policies from being changed. With our continued efforts, we can continue to provide a healthy and productive environment for our citizens.

Ms. WOOLSEY. Mr. Chairman, how much farther are we going to have to roll back the clock before we realize the harm that we are doing to our environment? Do we have to get to the point of rivers catching on fire again?

The EPA, the agency that is supposed to be protecting our environment, is attempting to turn back the clock by releasing a new policy that will increase waterborne diseases and deaths.

This latest EPA policy to allow sewage treatment plants to routinely divert untreated sewage into our rivers and oceans, where we get our water and where we swim is not something that appeals to me.

Instead of turning back the clock and allowing sewage to flow freely in our rivers, we must increase our investment in upgrading

wastewater treatment plants. Ironically, this bill actually decreases the amount of federal funding for upgrading wastewater treatment plants.

It is time that we started moving forward and not backward on protecting our rivers and our oceans. I urge all of my colleagues to join me in supporting this important amendment.

Mr. PASCRELL. Mr. Chairman, our communities are on the front lines in their attempts to meet the requirements of the Clean Water Act.

Hundreds of billions of dollars are needed to meet real and pressing needs, and the federal government is not paying its fair share.

As a former Mayor and lifelong resident of Paterson, NJ, I can personally attest that our cities are struggling to make ends meet. The money to make any wastewater upgrades must come from somewhere, and the Congress needs to step up to plate.

The funding levels in this bill reflect almost a half billion dollars in cuts to the Clean Water State Revolving Fund over the past two years. My state of New Jersey will have lost \$20 million alone.

EPA's state and tribal assistance grant program is also slashed by almost half a billion dollars.

Enacting these cuts and ignoring these needs undermines our ability to treat sewage, particularly during wet weather events.

It is important that we have uniform clean water regulations across our nation. I do believe that our communities need a thoughtful blending policy.

However, the November 2003 policy the EPA has proposed is not the right one at this time. If the Stupak Amendment comes to a vote, I will support it.

The EPA can do better, and the Congress should demand better.

But all sides need to be pragmatic. It is imperative that common ground can be found to develop a solution we can all live with.

A limiting amendment which stops work on the blending issue will not benefit our environment and it will not benefit the public health.

It will certainly not benefit communities and public water utilities trying to do the best they can with the limited resources they have available.

I would like to thank my friend from Michigan for bringing this amendment to the House floor. He is truly a champion in our quest for clean water and should be commended for his work protecting the Great Lakes.

I would also like to thank my Chairman of the Water Resources Subcommittee, Mr. DUNCAN. He is also a champion for clean water, and a leader in our quest to provide assistance to local communities for their treatment systems.

Mr. OBERSTAR. Mr. Chairman, I rise in support of the amendment.

The amendment offered by my colleague from Michigan would prohibit the Environmental Protection Agency from spending any of the funds provided by this bill to finalize any new policy related to sewage blending.

Mr. Chairman, when EPA proposed to issue a new policy document on sewage blending, I was concerned that it could cause an increase in the frequency of blending by those communities that current use the practice, and an increase in the number of communities that use the practice. That is why I thought the policy was flawed. I do not believe that there currently is enough information available to EPA and state permit writers to know that any in-

crease in the use of blending is protective of human health and the environment. That is why I believe that issuing a policy that could increase the use of blending is wrong.

Sewage blending is the practice of taking partially treated wastewater, mixing it with fully treated wastewater, and then relying on the dilution to meet discharge limits. I do not believe that sewage blending is what was intended when the secondary treatment requirements for publicly owned treatment works were put in place by Congress in 1972.

Congress intended that all domestic sewage receive a minimum of secondary treatment, and greater levels of treatment where water quality demanded it. Since sewage blending is a process that is used only during periods of high flows, then the question presents itself as to whether blending complies with the secondary treatment requirements. Even the proponents of blending acknowledge that blending is used only in limited high flow circumstances—at all other times the sewage otherwise receives full secondary treatment.

The current, acknowledged limitations on the use of blending lead to the question—if blending constitutes secondary treatment, then why is it not acceptable all the time, or if it does not constitute secondary treatment, why is it allowed at all?

Recently, the EPA Assistant Administrator for Water acknowledged, "the heart and soul of the Clean Water Act, is that dilution is not the solution to pollution, that you need to treat the sewage. Blending isn't the solution. It's a short-term fix. [EPA] want[s] to make sure that it only occurs in the very limited, narrow circumstances and that it meets all requirements in their Clean Water Act permit, and that water quality standards downstream are also maintained."

Mr. Chairman, increasing the use of blending is not an acceptable long-term solution to meeting secondary treatment requirements. I support the amendment to bring the expanded use of blending policy to a halt.

POINT OF ORDER

Mr. TAYLOR of North Carolina. Mr. Chairman, I raise a point of order. We have an agreement. I do not think we can strike the last word when we have a time agreement.

Would the chairman rule on that and inform me?

The Acting CHAIRMAN. Under the order of the House of earlier today, only the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Interior, Environment, and Related Agencies may offer a pro forma amendment to a pending amendment.

The question is on the amendment offered by the gentleman from Michigan (Mr. STUPAK).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. TIAHRT:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to promulgate

regulations without outside auditing to determine the authenticity of the scientific methods used to develop such regulations.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order against the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume.

Last year our trade deficit surpassed \$670 billion. Our Federal budget deficit was more than \$300 billion, and we saw too many high-quality, good-paying jobs go overseas. It has become more and more difficult to keep and create jobs and small businesses here in America. And when we look around at what the world is doing, unless we change the environment here in America we are going to become a third-rate economy.

Over the last generation, starting in the 1960s, Congress has created barriers to keeping and creating jobs. We must remove those barriers.

Mr. Chairman, one of those barriers created by Congress is bureaucratic red tape. Others are rising health care costs, education policy, research and development policy, energy policy, unenforceable trade policy, tax policy, and lawsuit abuse. My amendment goes to the heart of the problem centered around the unnecessary bureaucratic red tape.

My amendment is designed to require an outside audit to determine that science is used to develop regulations at the EPA that are unbiased and well substantiated. At a minimum major rules by the EPA should go through a Science Advisory Board and rules should then be audited by a neutral third party to ensure that our environmental regulations are based on scientific facts and not emotional theory.

There are reporting rules promulgated by the EPA that do nothing to protect the environment or the health and well-being of the citizens but cost American businesses hundreds of millions of dollars and thousands of jobs.

One example of an unnecessary burden to the American small businesses is the EPA's toxic release inventory lead rule. The rule requires that businesses report annually on how much lead is used. Not how much lead is emitted into the atmosphere, but how much lead the business uses. In June, 2002, a small business owner from Baltimore, Maryland testified before the Regulatory Reform and Oversight Subcommittee of the Committee on Small Business on how this particular EPA reporting rule causes harm to her business. We can see how ridiculous and wasteful this EPA rule is to our economy without making our air any cleaner. Nancy Klinefelter is president of Baltimore Glassware Decorators. Her small business specializes in printing

small quantities of custom glass and ceramic ware for special occasions. Some of Nancy's work can even be found in the House gift shop and some is sold in the EPA's gift shop. When they print mugs or glasses for customers, they sometimes use lead-bearing colors on the outside surface. These colors are expensive, so they use a minimum amount of paint, just that which is needed to color the surfaces and they try to reduce waste. And the finishing process ensures that none of the lead leaches out. So their products are safe for anyone who uses them.

But because of the EPA's Toxics Release Inventory lead rule, Nancy's business is forced to compile daily records on how much color is used for the mugs because the color contains a very small amount of lead. Each year her small business has to report to the EPA how much lead has been used. It costs her about \$7,000 annually and across the Nation about \$70 million every year. And what do the Americans get for the millions that are spent? Cleaner air? No. Less lead being used? No. Less exposure to lead by children? No. The answer is none of these. But all the American people get from these thousands of reports are estimates on how much lead is being consumed, but our air is not any cleaner.

Mr. Chairman, with the hopes of working during the conference committee report, I intend to withdraw this amendment because I know it is subject to a point of order. I hope that we can work together with the gentleman from North Carolina (Chairman Taylor) in the conference report to try to remove some of these unnecessary regulations.

So, in conclusion, we must not move forward with our government to implement regulatory burdens like this on the American public because it drives jobs overseas, it increases the trade deficit, it reduces the Federal revenue, and it moves us toward a third-rate economy.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

AMENDMENT NO. 9 OFFERED BY MR. POMBO

Mr. POMBO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. POMBO:
At the end of the bill (before the short title) add the following new section:

SEC. _____. The funds appropriated in this Act under the following headings are available only to the extent provided for in authorizing legislation enacted before the date of the enactment of this Act or on or after such date:

(1) "Bureau of Land Management—Range Improvements".

(2) "United States Fish and Wildlife Service—Resource Management".

(3) "United States Fish and Wildlife Service—Cooperative Endangered Species Conservation Fund".

(4) "United States Fish and Wildlife Service—Neotropical Migratory Bird Conservation".

(5) "United States Fish and Wildlife Service—Multinational Species Conservation Fund".

(6) "National Park Service—Historic Preservation Fund".

(7) "United States Geological Survey—Surveys, Investigations, and Research".

(8) "Bureau of Indian Affairs—Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians".

(9) "Indian Health Service—Indian Health Services".

(10) "Indian Health Service—Indian Health Facilities".

(11) "Executive Office of the President—Council on Environmental Quality and Office of Environmental Quality".

Mr. DICKS. Mr. Chairman, I reserve a point of order against the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. POMBO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. POMBO).

Mr. POMBO. Mr. Chairman, I yield myself such time as I may consume.

Appropriations without authorizations or that exceed authorized levels violate House rule XXI, clause 2. This amendment enforces this rule by not allowing moneys to be spent for 10 specified programs within the Committee on Resources' sole jurisdiction which are not authorized to be funded in fiscal year 2006 until the Committee on Resources authorizes them. The money remains in the bill but cannot be obligated by the agencies until the authorizing committee authorizes them to do so.

Because the Interior appropriations bill often combines both authorized and unauthorized programs in a single number, such as funding for survey activities of the U.S. Geological Survey, the amendment assures that these programs which are authorized by fiscal year 2006, their funding cannot continue.

For those programs which are authorized but the amount appropriated exceeds the authorized level, such as in the case for the Council on Environmental Quality, then the amendment restricts the funding to the authorized level.

The purpose of this amendment is to give us the ability to go back and authorize a number of these programs that have not been authorized for years and in some cases in excess of a dozen years. One of the major problems that we have is the Committee on Appropriations gets in the position of having to continue to appropriate money on these unauthorized programs because they are important programs. But in this case what we are talking about is \$5.3 billion that is being appropriated. So this is a fiscal issue.

I believe that the taxpayer demands that we do our job in authorizing these programs and make sure that the public is getting their money's worth out of these different programs. Currently,

I do not believe that is the case. And it gives us the ability to go back and authorize those programs.

I believe this is something that is extremely important. The gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Washington (Mr. DICKS) have worked with us on a number of different things that are in this bill over the past year. But when it comes to some of these major programs that we have not been able to get an authorization on, I believe the time is now for us to move forward and begin to fence off those moneys until we can get an authorization done.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. DICKS. Mr. Chairman, I raise a point of order against the amendment. I do it with great respect for the chairman, but I just worry about what the consequences of his amendment would be to this bill.

Therefore, Mr. Chairman, I raise a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The Acting CHAIRMAN (Mr. HASTINGS of Washington). Does any Member wish to be heard on the point of order?

Mr. POMBO. Mr. Chairman, I realize that the gentleman is correct when he talks about authorizing an appropriations bill and the effect that my amendment would have. But I would urge the Chair to rule the amendment in order because what I am trying to do is strip out and put fencing around appropriations for unauthorized programs. It seems kind of ironic that my amendment that goes after unauthorized programs would be ruled out of order for the very reason that I have been going after those programs.

I urge the chairman to rule the amendment in order.

The Acting CHAIRMAN. If no other Member wishes to be heard, the Chair is prepared to rule.

The Chair finds that this amendment requires new duties. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

□ 1900

AMENDMENT OFFERED BY MS. SOLIS

Ms. SOLIS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. HASTINGS of Washington). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. SOLIS:
Add at the end of the bill (preceding the short title) the following:

SEC. 4 _____. None of the funds made available in this Act may be used by the Administrator of the Environmental Protection Agency—

(1) to accept, consider, or rely on third-party intentional dosing human studies for pesticides; or

(2) to conduct intentional dosing human studies for pesticides.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentlewoman from California (Ms. SOLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Chairman, I yield myself such time as I may consume.

This amendment would ensure that the Environmental Protection Agency could not use funds in this legislation to accept, consider, or rely on studies from outside parties that intentionally expose human beings to pesticides. It would also ensure that the EPA could not spend any funds conducting its own studies which intentionally expose humans to pesticides.

According to EPA Administrator Stephen Johnson back in 2001, EPA "believes that we have a more than sufficient database, through use of animal studies, to make licensing decisions that meet the standard, to protect the health of the public, without using human studies."

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentlewoman yield?

Ms. SOLIS. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, if we withdraw any objection to this amendment, is the gentlewoman envisioning a rollcall vote or just a simple voice vote?

Ms. SOLIS. Mr. Chairman, no rollcall vote.

Mr. TAYLOR of North Carolina. Mr. Chairman, I withdraw any objection to this amendment.

Ms. SOLIS. Mr. Chairman, I yield myself such time as I may consume, and I thank the gentleman from North Carolina.

Mr. Chairman, I will submit the remainder of my statement for the RECORD, and I would ask that Members of the House approve this amendment. It is long overdue. I am very grateful to accept support from the other side of the aisle.

Despite this statement, the EPA can devise and conduct studies where humans—children and adults—are exposed to pesticides.

Current practices also allow the EPA to accept studies from the pesticide industry and other outside sources so these studies can be used to help develop regulations or approve pesticides.

Right now, the United States Environmental Protection Agency—the agency in charge of protecting public health from environmental toxins—is encouraging industry to use human beings as guinea pigs.

What may be the greatest offense yet, is that the EPA is conducting and engaging in these studies with no binding safeguards to make sure these tests protect public health.

The EPA has chosen to go against the recommendation of the National

Academy of Sciences and against the wishes of its own Science Advisory Board and Science Advisory panel.

Not only are there no binding safeguards for EPA conducted studies, but many of the outside studies which the EPA accepts fail to meet minimum international standards established in the Nuremberg Code and in the Helsinki Declaration of the World Medical Association.

This behavior is deplorable, unethical, and wrong.

Our amendment is critical because, in the absence of binding standards at EPA, the pesticides industry has increased its use of human testing studies and putting more humans at risk for what are frequently statistically invalid studies.

The trend of using humans—both children and adults—as guinea pigs is a trend that needs to stop.

The EPA needs to have binding safeguards in place, and we need to have information about how a better understanding of how dangerous and toxic these pesticides are for our children.

Without these safeguards the EPA should not be conducting tests which dangerously expose humans to pesticides nor should it be developing policy based on third party studies which fail to meet even basic internationally accepted standards.

My colleagues, the Solis-Bishop amendment is supported by environmental and diverse religious organizations and among more than 80,000 others who have written to me saying they oppose the CHEERS study and support a moratorium on this type of testing.

I urge you to support our amendment and prevent the unregulated and unethical testing of pesticides on humans.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BISHOP), the cosponsor of this amendment.

Mr. BISHOP of New York. Mr. Chairman, I want to thank the gentlewoman from California for her leadership on this issue and for yielding me this time, and I want to thank the chairman for accepting our amendment.

I have a statement that I will submit for the RECORD.

Mr. Chairman, I thank the gentlewoman from California (Ms. SOLIS), for yielding and introducing this amendment, which I'm proud to cosponsor.

Mr. Chairman, how do you make a bad idea worse? If you're EPA, offer families \$970 to videotape their children reacting to bug sprays, carpet cleaners, and other household pesticides.

Then, invite the American Chemistry Council as a partner in this study, knowing that in exchange for \$2 million paid toward the study, it wants looser regulations for the pesticide industry, which in turn wants to use humans instead of animals so it can justify relaxed exposure limits.

EPA's study is as poorly conceived as its acronym: CHEERS—which stands

for the Children's Health Environmental Exposure Research Study. It's a trifecta of unethical, immoral, and unscientific research.

It violates the post World War II "Nuremberg Code," which outlawed medical testing, including pesticide testing on people.

It advances private rather than medical interests, putting industry ahead of public health.

And despite EPA's own Science Advisory Board and Scientific Advisory Panels recommending strict safeguards for human testing, EPA failed to adopt them.

Mr. Chairman, we all want to understand how common chemicals like those found under the kitchen sink can hurt children, the elderly and the most vulnerable to poisoning. But the way to collect that information should not involve hurting the very people we want to protect.

The government should not be asking families to turn their babies into lab rats. We should be protecting children, not exposing them to pesticides.

Although we passed this amendment by unanimous consent two years ago, EPA resurrected the study when the fiscal year expired in October.

We need to pass the Solis-Bishop amendment to ensure EPA's research is based on sound science with the highest ethical standards.

Our amendment is supported by a broad coalition of environmental advocates, including the Alliance for Human Research Protection in my home state of New York.

I strongly encourage my colleagues to support this amendment, again thank the gentlewoman from California for her excellent work.

Ms. SOLIS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. SOLIS).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. GARRETT of New Jersey:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 Federal employees at any single conference occurring outside the United States.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The CHAIR recognizes the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the one question that I get when I go back to my district is, what is it that the Federal Government and Congress spend all their money on, and some of the things that we hear about sometimes is excess of spending in various areas.

One of the things that raises the ire of a lot of people is when they hear about trips by Members of the executive branch and others going overseas for maybe notable and worthwhile causes, but in excess of the number of people that we really need to send there. We have heard examples in past Congresses, and we have raised this amendment in past Congresses when we heard about 100, 150, 200 members of the executive branch going over for various causes.

We present an answer to this problem by saying that whenever an agency decides to send someone overseas for a trip, we should limit the number of Federal employees that go. My amendment will do that very simply. It will limit the number of Federal employees that are sent to international conferences funded under this bill to 50.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of New Jersey. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I commend the gentleman for his concern about the excessive foreign travel. This subcommittee has conducted extensive oversight using the Inspector General and the Government Accountability Office on the use of foreign travel on large conferences. I accept the gentleman's amendment.

Mr. GARRETT of New Jersey. Mr. Chairman, I thank the chairman for accepting the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COSTA

Mr. COSTA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. COSTA:

At the end of the bill (before the short title), add the following new section:

SEC. 4 _____. None of the funds made available in this Act for the Department of the Interior may be used to enter into or renew any concession contract except a concession contract that includes a provision that requires that merchandise for sale at units of the National Park System be made in any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, or the Commonwealth of the Northern Mariana Islands.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I yield myself such time as I may consume.

In 2004, approximately 263 million Americans and people throughout the world visited our Nation's 388 national parks, memorials, and national monuments. This summer, we know, as we approach the Memorial Day weekend, that additional hundreds of millions of Americans and other visitors from throughout the world will continue to visit our national parks.

Mr. Chairman, I think that when American families and those from throughout the world visit our wonderful treasures across the United States, that it would be nice if the souvenirs that they take home with them were actually made in our country. I believe that it is patriotic that our souvenirs that we bring home from our national treasures, in fact, be made by American workers.

The amendment before us would require that all souvenir products sold in America's national park system prospectively be made in America. Therefore, I ask my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, we have no objection at this time to this amendment.

Mr. COSTA. Mr. Chairman, I ask that my colleagues accept the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my understanding is that there are no other amendments left to the bill, and I simply want to say that I think the chairman of the subcommittee has been very fair and balanced in the way he has approached the bill. I think the bill is not fair and balanced, not because of anything the gentleman from North Carolina (Mr. TAYLOR) did, but simply because it could not be under the budget adopted by the majority party 2 weeks ago.

How many Member votes on this bill is, in my view, up to that Member. I am not going to be asking any Member to vote any way on any appropriation bill, but I will be voting "no," and I would like to briefly explain why.

I am simply not going to vote to gut the main program that we use to help local communities to deal with a \$300 billion-plus backlog of decrepit sewer and water systems. I am not going to vote to leave 200 of our 544 wildlife refuges without a single staff person. I am not going to vote to cripple EPA enforcement programs to the tune of \$400 million.

This bill does all of those things, not because the gentleman from North Carolina (Mr. TAYLOR) wanted to, but

simply because of what the majority leader said 2 weeks ago when he said, "This is the budget the American people voted for when they voted for a Republican House, a Republican Senate, and a Republican White House." I do not agree with Mr. DELAY on much, but I agree with him in that assessment.

So I would simply say, if Members are comfortable with implementing that kind of a budget that puts \$140,000 tax cuts for millionaires ahead of protecting American children from dirty drinking water, then they ought to feel comfortable voting "yes." I am not, and I will vote "no."

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment offered by Mr. RAHALL of West Virginia;

Amendment offered by Mr. HEFLEY of Colorado.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY RAHALL

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 249, noes 159, not voting 25, as follows:

[Roll No. 196]

AYES—249

Ackerman	Cardin	Doggett
Aderholt	Carnahan	Doyle
Allen	Carson	Dreier
Andrews	Case	Edwards
Baca	Castle	Ehlers
Baird	Chabot	Emanuel
Baldwin	Cleaver	Engel
Bartlett (MD)	Clyburn	English (PA)
Barton (TX)	Conyers	Eshoo
Bass	Cooper	Etheridge
Bean	Costello	Evans
Becerra	Cramer	Everett
Berkley	Crowley	Farr
Berman	Cuellar	Fattah
Berry	Cummings	Ferguson
Biggert	Cunningham	Filner
Billakis	Davis (AL)	Fitzpatrick (PA)
Bishop (GA)	Davis (CA)	Foley
Bishop (NY)	Davis (IL)	Forbes
Blumenauer	Davis (TN)	Ford
Bono	Davis, Jo Ann	Fossella
Boozman	Davis, Tom	Franks (AZ)
Boucher	Deal (GA)	Frelinghuysen
Bradley (NH)	DeFazio	Gallely
Brady (PA)	DeGette	Gonzalez
Brown, Corrine	Delahunt	Goode
Burgess	DeLauro	Gordon
Butterfield	Dent	Green (WI)
Capito	Diaz-Balart, L.	Green, Al
Capps	Diaz-Balart, M.	Green, Gene
Capuano	Dicks	Grijalva

Gutierrez
Hall
Harris
Hastings (FL)
Hayworth
Hersteth
Higgins
Hinchey
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hyde
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Lee
Levin
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCaul (TX)

NOES—159

Abercrombie
Akin
Alexander
Bachus
Baker
Barrett (SC)
Beauprez
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boren
Boswell
Boustany
Boyd
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Cardoza
Carter
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costa
Cox
Crenshaw
Cubin
Davis (FL)
Davis (KY)
DeLay
Dingell
Doolittle

McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Norwood
Obey
Oliver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Pitts
Platts
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Reynolds
Rogers (MI)
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta

Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Woolsey
Wu
Wynn
Young (FL)

Manzullo
Marshall
Matheson
McCrery
McHenry
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Osborne
Otter
Oxley
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pompo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rohrabacher
Ross
Royce
Ryan (WI)

Ryun (KS)
Sabo
Salazar
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster

Barrow
Brown (OH)
Clay
Culberson
Frank (MA)
Gerlach
Harmach
Hinojosa
Jackson-Lee
(TX)

Simpson
Smith (TX)
Sodrel
Souders
Stearns
Sullivan
Taylor (NC)
Terry
Thomas
Thornberry

NOT VOTING—25

Larson (CT)
LaTourette
Leach
Lewis (GA)
Lucas
Lynch
Marchant
Millender-
McDonald
Moran (VA)

Tiahrt
Tiberi
Walden (OR)
Walsh
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)
Wolf

Paul
Poe
Radanovich
Shays
Strickland
Tancredo
Young (AK)

Gibbons
Goodlatte
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Inglis (SC)
Issa
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)

King (IA)
Lewis (KY)
Linder
Mack
Manzullo
McCotter
McHenry
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Price (GA)

NOES—326

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrow
Bass
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)

Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Forbes
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Oliver

Ramstad
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Stearns
Sullivan
Tanner
Taylor (MS)
Terry
Thornberry
Petri
Westmoreland
Wilson (SC)

Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
Lee
Levin
Lewis (CA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel
E.
Lynch
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Oliver

Messrs. BAKER, SCHWARZ of Michigan, CARDOZA, JENKINS and SULLIVAN changed their vote from “aye” to “no.”

Mr. LOBIONDO, Mrs. MALONEY, and Messrs. CLEAVER, JOHNSON of Illinois, ORTIZ, Ms. CORRINE BROWN of Florida, Messrs. BACA, TURNER, BARTLETT of Maryland, FORBES, WAMP, BOOZMAN, HOBSON, Mrs. MILLER of Georgia and Mr. MYRICK, Mr. BISHOP of Georgia and Mr. DICKS changed their vote from “no” to “aye.”

So the amendment was agreed to.
The result of the vote was announced as above recorded.

Stated for:

Mr. BARROW. Mr. Chairman, on rollcall No. 196, had I been present, I would have voted “aye.”

Mr. MORAN of Virginia. Mr. Chairman, on rollcall No. 196, I was delayed in traffic. Had I been present, I would have voted “aye.”

Stated against:

Mr. HINOJOSA. Mr. Chairman, I regret that I was unavoidably detained. Had I been present, I would have voted “no” on rollcall No. 196.

AMENDMENT NO. 11 OFFERED BY MR. HEFLEY

The Acting CHAIRMAN (Mr. HASTINGS of Washington). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 90, noes 326, not voting 17, as follows:

[Roll No. 197]

AYES—90

Akin
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Beauprez
Bilirakis
Blackburn
Brady (TX)

Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Cannon
Chabot
Chocola
Cubin
Davis, Jo Ann

Deal (GA)
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Foley
Fox
Franks (AZ)
Garrett (NJ)

Ortiz	Ryan (OH)	Thompson (CA)
Osborne	Sabo	Thompson (MS)
Owens	Salazar	Tiahrt
Oxley	Sánchez, Linda	Tiberi
Pallone	T.	Tierney
Pascarell	Sanchez, Loretta	Towns
Pastor	Sanders	Turner
Payne	Saxton	Udall (CO)
Pearce	Schakowsky	Udall (NM)
Pelosi	Schiff	Upton
Peterson (MN)	Schwartz (PA)	Van Hollen
Peterson (PA)	Schwarz (MI)	Velázquez
Pickering	Scott (GA)	Visclosky
Platts	Scott (VA)	Walden (OR)
Pombo	Serrano	Walsh
Pomeroy	Shaw	Wamp
Porter	Sherman	Wasserman
Price (NC)	Sherwood	Schultz
Pryce (OH)	Simmons	Waters
Putnam	Simpson	Watson
Rahall	Skelton	Watt
Rangel	Slaughter	Waxman
Regula	Smith (NJ)	Weiner
Rehberg	Smith (TX)	Weldon (FL)
Reichert	Smith (WA)	Weldon (PA)
Renzi	Snyder	Weller
Reyes	Sodrel	Wexler
Reynolds	Solis	Whitfield
Rogers (AL)	Souder	Wicker
Rogers (KY)	Spratt	Wilson (NM)
Ros-Lehtinen	Stark	Wolf
Ross	Stupak	Woolsey
Rothman	Sweeney	Wu
Roybal-Allard	Tauscher	Wynn
Ruppersberger	Taylor (NC)	Young (FL)
Rush	Thomas	

NOT VOTING—17

Clay	Larson (CT)	Radanovich
Cox	LaTourette	Shays
Harman	Leach	Strickland
Istook	Lewis (GA)	Tancredo
Jackson-Lee	Lucas	Young (AK)
(TX)	Millender-	
Jones (OH)	McDonald	

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1946

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN (Mr. HASTINGS of Washington). The Clerk will read the last two lines of the bill.

The Clerk read as follows:

This Act may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006”.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS) having assumed the chair, Mr. HASTINGS of Washington, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 287, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. Yes, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY of Wisconsin moves to recommit the bill, H.R. 2316, to the Committee on Appropriations to report the same promptly with an amendment to provide an additional \$242,000,000 for the Clean Water State Revolving Fund and \$110,000,000 for State and Tribal Assistance Grants.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 5 minutes in support of his motion to recommit.

Mr. OBEY. Mr. Speaker, I will take only 1 minute. The budget resolution passed earlier this year told the Congress to find a way to meet the targets in that resolution, even if we had to gut the Clean Water program and to cut the STAG grants.

What this motion says is that the committee ought to go back to the drawing board and find a way to meet these targets without cutting either the STAG grants or the Clean Water Revolving Fund. It would simply ask the committee to provide an additional \$242 million to the Clean Water Revolving Fund and \$110 million for State and Tribal Assistance Grants, returning both programs to last year's level.

Mr. Speaker, I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Speaker, I rise in opposition to the motion to recommit, and I wish we did not have to have a rollcall vote.

This motion to recommit kills the bill by adding \$352 million, and I oppose this motion.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for the electronic vote on the question of final passage.

The vote was taken by electronic device, and there were—ayes 191, noes 228, not voting 14, as follows:

[Roll No. 198]

AYES—191

Abercrombie	Gonzalez	Ortiz
Ackerman	Gordon	Owens
Allen	Green, Al	Pallone
Andrews	Green, Gene	Pascarell
Baca	Grijalva	Pastor
Baird	Gutierrez	Payne
Baldwin	Hastings (FL)	Pelosi
Barrow	Herseth	Peterson (MN)
Bean	Higgins	Pomeroy
Becerra	Hinchey	Price (NC)
Berkley	Hinojosa	Rahall
Berman	Holt	Rangel
Berry	Honda	Reyes
Bishop (GA)	Hooley	Ross
Bishop (NY)	Hoyer	Rothman
Blumenauer	Inslee	Roybal-Allard
Boren	Israel	Ruppersberger
Boswell	Jackson (IL)	Rush
Boucher	Jefferson	Ryan (OH)
Boyd	Johnson, E. B.	Sabo
Brady (PA)	Jones (OH)	Salazar
Brown (OH)	Kaptur	Sánchez, Linda
Brown, Corrine	Kennedy (RI)	T.
Butterfield	Kildee	Sanchez, Loretta
Capps	Kilpatrick (MI)	Sanders
Cardin	Kind	Schakowsky
Cardoza	Kucinich	Schiff
Carnahan	Langevin	Schwartz (PA)
Carson	Lantos	Scott (GA)
Case	Larsen (WA)	Scott (VA)
Chandler	Lee	Serrano
Cleaver	Levin	Sherman
Clyburn	Lipinski	Skelton
Conyers	Lofgren, Zoe	Slaughter
Cooper	Lowey	Smith (WA)
Costa	Lynch	Snyder
Costello	Maloney	Solis
Cramer	Markey	Spratt
Crowley	Marshall	Stark
Cuellar	Matheson	Stupak
Cummings	Matsui	Tanner
Davis (AL)	McCarthy	Tauscher
Davis (CA)	McCollum (MN)	Taylor (MS)
Davis (FL)	McDermott	Thompson (CA)
Davis (IL)	McGovern	Thompson (MS)
Davis (TN)	McIntyre	Tierney
DeFazio	McKinney	Towns
DeGette	McNulty	Udall (CO)
Delahunt	Meehan	Udall (NM)
DeLauro	Meek (FL)	Van Hollen
Dicks	Meeks (NY)	Velázquez
Dingell	Melancon	Visclosky
Doggett	Menendez	Wasserman
Doyle	Michaud	Schultz
Edwards	Miller (NC)	Waters
Emanuel	Miller, George	Watson
Engel	Moore (KS)	Watt
Eshoo	Moore (WI)	Waxman
Etheridge	Moran (VA)	Weiner
Evans	Nadler	Wexler
Farr	Napolitano	Woolsey
Fattah	Neal (MA)	Wu
Filner	Oberstar	Wynn
Ford	Obey	
Frank (MA)	Olver	

NOES—228

Aderholt	Boustany	Conaway
Akin	Bradley (NH)	Cox
Alexander	Brady (TX)	Crenshaw
Bachus	Brown (SC)	Cubin
Baker	Brown-Waite,	Culberson
Barrett (SC)	Ginny	Cunningham
Bartlett (MD)	Burgess	Davis (KY)
Barton (TX)	Burton (IN)	Davis, Jo Ann
Bass	Buyer	Davis, Tom
Beauprez	Calvert	Deal (GA)
Biggert	Camp	DeLay
Bilirakis	Cannon	Dent
Bishop (UT)	Cantor	Diaz-Balart, L.
Blackburn	Capito	Diaz-Balart, M.
Blunt	Capuano	Doolittle
Boehlert	Carter	Drake
Boehner	Castle	Dreier
Bonilla	Chabot	Duncan
Bonner	Chocoma	Ehlers
Bono	Coble	Emerson
Boozman	Cole (OK)	English (PA)

Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)

King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)

NOT VOTING—14

Clay
Harman
Jackson-Lee
(TX)
Larson (CT)
LaTourette

Leach
Lewis (GA)
Lucas
Millender-
McDonald
Radanovich

□ 2008

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BASS). The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 329, nays 89, not voting 15, as follows:

[Roll No. 199]

YEAS—329

Abercrombie
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass

Bean
Beauprez
Biggart
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono

Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny

Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxy
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)

Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Latham
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oliver
Ortiz
Osborne
Otter
Oxley
Pastor
Pearce

Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stupak
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (NM)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (FL)

NAYS—89

Ackerman
Allen
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Brown (OH)
Capps
Cardin
Chandler
Conyers
Costello
Davis (IL)
DeGette
DeLauro
Dingell
Eshoo
Etheridge
Flake
Frank (MA)
Franks (AZ)
Grijalva
Gutierrez
Hastings (FL)
Hefley
Holt
Honda

NOT VOTING—15

Clay
Harman
Jackson-Lee
(TX)
Larson (CT)
LaTourette

Leach
Lewis (GA)
Lucas
Marchant
Millender-
McDonald

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 2018

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the record and regret that I could not be present today, Thursday, May 19, 2005 to vote on rollcall votes Nos. 190, 191, 192, 193, 194, 195, 196, 197, 198 and 199 due to family medical emergency.

Had I been present, I would have voted: “no” on rollcall vote No. 190 on calling the previous question on H. Res. 287—The rule providing for consideration of H.R. 2361—Department of the Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2006; “no” on rollcall vote No. 191 on an amendment to H.R. 2361 to increase funding for Payments in Lieu of Taxes (PILT) by \$4,800,000 and to reduce funding to the National Endowment for the Arts; “no” on rollcall vote No. 192 on amendments en bloc to H.R. 2361 to insert “oil” after “offshore” on page 53, line 12 strike “and natural gas” on page 53, line 20 and to strike “and natural gas” on page 54 line 3; “no” on rollcall vote No. 193 on an amendment to H.R. 2361 to reduce funding for the Environmental Protection Agency—Science and Technology by \$130 million and to increase funding for the Environmental Protection Agency—Hazardous Substance Superfund by \$130 million; “yea” on rollcall vote No. 194 on an amendment to H.R. 2361 to increase funding in the Clean Water State Revolving Fund by \$100 million; “no” on

rollcall vote No. 195 on an amendment to H.R. 2361 to increase funding for Wildland Management by \$27,500,000, to increase funding for hazardous fuels reduction activities and to reduce funding for the National Endowment for the Arts—Grants and Administration by \$30 million; “yea” on rollcall vote No. 196 on an amendment to H.R. 2361 to prohibit the use of funds from being made available for the selling or slaughter of wild free-roaming horses and burros; “no” on rollcall vote No. 197 on an amendment to H.R. 2361 to reduce total appropriations in the bill by \$261,591,250; “yea” on rollcall vote No. 198 on the motion to recommit H.R. 2361 to the Appropriations Subcommittee on Interior, Environment, and Related Agencies; and “no” on rollcall vote No. 199 on passage of H.R. 2361—Department of the Interior, Environment and Related Agencies Appropriations Act for Fiscal Year 2006.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 810

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that the name of the gentleman from California (Mr. CALVERT) be removed from a piece of legislation I have authored, H.R. 810.

The SPEAKER pro tempore (Mr. TERRY). Is there objection to the request of the gentleman from Delaware?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the distinguished majority leader for the purposes of inquiring of the schedule for the coming week.

Mr. DELAY. Mr. Speaker, I appreciate the distinguished minority whip yielding to me.

The House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m.

On Tuesday and the balance of the week, the House will consider several bills under a rule: H.R. 810, the Stem Cell Research Enhancement Act of 2005; H.R. 2419, the Energy and Water Development Appropriations Act for Fiscal Year 2006; and H.R. 1815, the National Defense Authorization Act For Fiscal Year 2006.

In addition, Mr. Speaker, we plan to consider the Military Quality of Life Appropriations Act for Fiscal Year 2006 sometime later in the week.

Mr. HOYER. I thank the leader for that information. If I could go through a couple of these bills. The defense authorization bill, Mr. Leader, do you expect at this point in time to have that on a particular day of the week? Do we know when that will be?

Mr. DELAY. While it is certainly subject to change, I would expect us to

consider the stem cell bill on Tuesday, followed on Tuesday by the energy and water bill. Hopefully, we could finish that bill by Tuesday night and start the DOD authorization bill on Wednesday and Thursday, if necessary, and complete the week with the military quality of life appropriations bill.

Mr. HOYER. I thank the gentleman for that response. With respect to the defense authorization bill, can you tell us now what kind of a rule might be applicable to the consideration of that bill?

Mr. DELAY. I would anticipate the same types of amendments being allowed that has been sort of tradition around here on the DOD authorization bill. The Rules Committee did make an announcement tonight about filing amendments in a timely fashion. Most of the amendments would be considered by the Rules Committee, but obviously it is too early to tell what the Rules Committee will finally do.

Mr. HOYER. I thank the gentleman for that information and would ask that certainly the substantive Democratic amendments be made in order. This, obviously, is a very important bill, a large sum of money, critically important at a time when we are confronting terrorists in Iraq and around the world and our men and women are in harm's way. All of us want to make sure that we have our ideas on how we can best strengthen our efforts in that bill. So to the extent that the leader can prevail upon the Rules Committee to allow such amendments as Democratic Members and, for that matter, Republican Members want to offer, I think that would be in the best interests of full consideration.

Mr. Leader, the stem cell research legislation you indicate will be on Tuesday. It is my understanding that that bill will be brought to the floor and that it will not be subject to amendment; it will be considered as reported out of committee. Is that accurate?

Mr. DELAY. We are working with your side on a unanimous-consent request to bring the bill up even without a rule. Hopefully, we can agree to a lengthy debate. This issue is so important for an up-and-down vote. Hopefully, we could have a full and open debate on this very important issue. And it will be hopefully done under a unanimous-consent request that will be worked out with your side, probably on Monday.

Mr. HOYER. I thank the leader. I know that our leader and your office are working on that unanimous consent and the parameters of the consideration of, as you point out, a very, very important bill. There are obviously different points of view on the legislation.

I know we are going to be meeting Monday night and going to come in early Tuesday. Would you have a thought as to when, because of the importance of this bill, our Members want to be sure that they are here, as I am

sure yours do as well, what time of day you would expect to be considering that piece of legislation?

Mr. DELAY. In working with the minority leader's office and your office, there have been requests to accommodate some Members and start this debate early in the afternoon instead of early in the morning. I would, along with the unanimous-consent request, anticipate us working out an agreeable time, and I would expect after discussions already being held that we would anticipate the debate to start on that bill somewhere early in the afternoon and running for the length of time agreed to by both sides.

Mr. HOYER. I thank the leader for that information and appreciate his working with Leader PELOSI in determining that, because this is important. I think all Members will want to make sure that that time frame in which it will be considered, they will be available to be on the floor or be watching the floor debate with the ability to come to the floor to offer their thoughts. I thank the gentleman for that information.

Mr. DELAY. If the gentleman will yield, I want to reemphasize, we are trying to work out with your side as lengthy a debate as necessary to have a full and important debate. Even though we would discourage any amendments to this very important issue, we would want to have opportunities for every Member to participate in the debate. So we would work out with your side enough time so that we can thoroughly debate this issue.

Mr. HOYER. I thank the leader for that observation. The happy circumstance is we both certainly agree on this procedure, that it needs to have a thorough airing and debate and discussion. There are strong views on either side of this issue and quite obviously the consequences of this bill are very substantial. Whether it passes or whether it fails, the consequences are substantial. So we appreciate the fact that there will be significant time to discuss and debate this issue.

Mr. Leader, I have two items left. The Head Start reauthorization has now, as you know, been marked up by the committee. I know it is not coming next week, and we will be out the week after that for the Memorial Day work period. Can you tell me when you might expect the Head Start reauthorization bill to come to the floor?

Mr. DELAY. We do have a very, very full schedule over the next few weeks. As the gentleman knows and most of the Members know, the Appropriations Committee is trying their best to get all the appropriations bills out of the House before the July 4 break, so there is very little time between now and the Fourth of July to do other bills. We are considering the Head Start bill, but we do not have any immediate plans to consider the Head Start bill reauthorization and hope that we can get it as soon as possible.

Mr. HOYER. I thank the gentleman and would hope that we could try to

move that as quickly as possible. Obviously, people will want to be planning for the next school year and next Head Start year.

Lastly, Mr. Leader, the highway bill. As we know, the highway bill is now more than 2 years overdue in terms of reauthorization, has been sitting for some period of time. The Senate has now passed that bill. Can you tell us when we might appoint conferees for the highway conference?

Mr. DELAY. As the gentleman knows, this House passed the highway bill some weeks ago and the Senate just finished the highway bill in their Chamber. We will probably have to consider some type of short-term extension next week, hopefully an agreed-to extension bill. And if the Senate requests a conference next week, I believe that the Speaker will be prepared to appoint House conferees next week.

Mr. HOYER. I thank the leader for that observation and hopefully we can, in fact, move on that. We not only passed it last week but we passed it a number of times before that. Mr. Leader, I would simply observe on our side and, frankly, on your side that the Senate number is a number that I think our committee certainly and this House could well approve.

□ 2030

I know the President does not like that number, but very frankly, as the gentleman knows, our own committee almost unanimously on voice vote passed out an authorization figure at, I think, 375, so \$80 billion more than the Senate-passed bill.

I would certainly hope that the Congress could exercise its will. The Senate was at 218. We were at 284. Now it is a little bit in between that. I would hope that we could move this conference as quickly as possible. It has been held up a long time and has a significant consequence for jobs, as the leader knows, significant consequence for contractors, States, municipalities, localities, and we have been a long time waiting for this passage that is now some 2 years late.

But I appreciate the leader's observation that we will appoint conferees next week, and hopefully perhaps the leader can help accelerate that conference so we can agree. And then the President, of course, will have to do what he thinks is best and make a determination, and then we might have a shocking event and he may veto a bill and send it back to us, and I am relatively confident we would work our will at that point in time.

I do not know whether the leader wants to make an observation.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I would just say that the President has been criticized for not vetoing any bills over the last 4½ years, but it has become a

tradition around here to include the President as we do legislation through the House and the Senate and therefore working out any of our differences so that he would not have to veto a bill, and I do not see that the highway bill is any different than anything else we have been doing for the last 4½ years. So he is obviously a major player in this process.

The House, as the gentleman says, has expressed itself at a number. We think the President will sign the bill. The Senate has chosen to do otherwise. Hopefully, we can work this out in the conference committee so that the President will not have to mar his record by vetoing a bill.

Mr. HOYER. Mr. Speaker, reclaiming my time, I recall that Democrats, when they were in charge, had a slightly different perspective, believing we were a co-equal branch of the government. We would adopt our policies based upon what we believed to be in the best interests of this country, and that the President, as a co-equal branch of the government, would make his determination, and if we disagreed we would override his veto. As a matter of fact, I voted to override a number of vetoes that the previous Democratic President disagreed with us on.

The gentleman is right. We do not seem to do that. We have a 4½-year unblemished record, as the leader points out, of not doing anything that this President did not want us to do.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman's yielding to me.

I would just point out to the gentleman that in the good old days that he refers to, yes, this House had a great reputation for wanting to spend more money, and those days have changed in that the President is adamant about spending and spending the right amount of money to do the job and the House has concurred in that many times and have voted in the House. And it has been a pleasure to work with the President to hold down spending and make sure that every dollar is spent properly.

Mr. HOYER. Mr. Speaker, reclaiming my time, does the gentleman by any chance remember the ag bill?

Mr. DELAY. Which ag bill?

Mr. HOYER. The ag bill that was passed some years ago. The President was not too excited about that spending level, as I recall. He signed the bill, nevertheless.

Mr. DELAY. He signed the bill.

Mr. HOYER. Mr. Speaker, I have been here for some period of time, as the leader knows, and the only bill that Ronald Reagan vetoed that was overridden by the Congress was a bill in which he said we did not spend enough money in 1983. He vetoed it because we did not spend enough money.

ADJOURNMENT TO MONDAY, MAY 23, 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debate.

The SPEAKER pro tempore (Mr. MARCHANT). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONTINUATION OF NATIONAL EMERGENCY PROTECTING DEVELOPMENT FUND FOR IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109-28)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication. This notice states that the national emergency declared in Executive Order 13303 of May 22, 2003, as expended in scope by Executive Order 13315 of August 28, 2003, modified in Executive Order 13350 of July 29, 2004, and further modified in Executive Order 13364 of November 29, 2004, is to continue in effect beyond May 22, 2005. The most recent notice continuing this emergency was published in the Federal Register on May 21, 2004 (60 FR 29409).

The threats of attachment or other judicial process against (i) the Development Fund for Iraq, (ii) Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof, or (iii) any accounts, assets, investments, or any other property of any kind owned by, belonging to, or held

by, on behalf of, or otherwise for the Central Bank of Iraq create obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq. Accordingly, these obstacles continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency protecting the Development Fund for Iraq, certain other property in which Iraq has an interest, and the Central Bank of Iraq, and to maintain in force the sanctions to respond to this threat.

GEORGE W. BUSH.
THE WHITE HOUSE, May 19, 2005.

2005 COMPREHENSIVE REPORT ON U.S. TRADE AND INVESTMENT POLICY TOWARD SUB-SAHARAN AFRICA AND IMPLEMENTATION OF AFRICAN GROWTH AND OPPORTUNITY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109-29)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Consistent with title I of the Trade and Development Act of 2000, I am providing a report prepared by my Administration, the "2005 Comprehensive Report on U.S. Trade and Investment Policy Towards Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act."

GEORGE W. BUSH.
THE WHITE HOUSE, May 19, 2005.

CAFTA

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, today most recognize we are part of a global economy, probably no more so than in my home State of Oregon. Unfortunately, the Central American Free Trade Agreement, CAFTA, is not the step forward that new trade agreements should represent.

For me it is clear that CAFTA does not include adequate environmental and labor standards. It is time to put the dispute resolution process for labor on the same solid footing as we do for commercial issues. Most acknowledge that CAFTA countries lack the financial resources and technical expertise to enforce good labor and environmental practices, but we are not providing funding that could help overcome these obstacles.

Additionally, CAFTA would seriously harm these countries that rely heavily

on their agricultural sectors. Our egregious farm bill has locked us into subsidies that do not promote free trade and have already caused much harm to other countries' farmers. We need to pay attention to the hard lessons NAFTA imposed on struggling Mexican farmers.

Couple these issues with our reluctance to help American workers hampered by trade and technological change, and CAFTA is not an agreement that I can support in its current form.

SAVE FILIBUSTER

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, Republicans continue to abuse this body with their blatant disregard for the rules. They are clearly manufacturing a crisis about the judicial nomination process, saying it is in trouble. They would have us believe that none of Bush's nominees were being confirmed.

But that just is not true. Let us remember that 95 percent of the Bush nominees have been approved, in contrast to 35 percent of the Clinton nominations. So instead of following history, they figure altering the Senate rules in their favor is the ultimate solution so that they can force ten nominees through the system.

Republican leaders in Washington are absolutely out of control. They are so afraid of our democracy failing their interests that they must continue to bully in order to get their way. The American people do not want a Congress controlled by bullies. Bullies who are willing to sacrifice a 200-year-old democratic process that has withstood such debates as the 24-hour filibusters of the Civil Rights Act in 1960s.

This abuse of power must end.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

CAFTA AND OUR TRADE DEFICIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFazio) is recognized for 5 minutes.

Mr. DEFazio. Mr. Speaker, it has been nearly a year since the President signed the secretly negotiated CAFTA agreement and has begun the process to bring it forward to the House for an up-or-down vote. No amendments allowed. It is a perfect agreement, of course.

It is only perfect in that it mirrors all of our most recent failed trade agreements, such as its predecessor, NAFTA.

Some would say this is about helping the American economy, putting Americans to work, to help our exporters. That is what they said about NAFTA. And it turned out that the people of Mexico, the aggregate buying power of everybody in Mexico who spent every peso on American goods was slightly less than the State of New Jersey. It was never about the purchasing power of the people of Mexico and the idea that somehow they were going to buy American goods and put Americans to work here at home. It was always about United States capital, multinational corporations, chasing cheaper labor into Mexico and now further into Latin America; chasing lack of environmental standards and enforcement into Mexico, particularly the maquiladora area, which is a total environmental nightmare, further into Latin America; in chase of the lowest standards, the lowest common denominator, the most abused labor.

And that is what CAFTA is all about. It mirrors the NAFTA agreement. Like the NAFTA agreement, it will deliver the same thing. They told us we would gain 140,000 jobs with NAFTA. Well, we lost close to half a million jobs because of NAFTA. CAFTA will be the same.

When we are doing something that is failing the Nation and the Nation's workers and driving down wages here at home and trying to pull down our standards of consumer protection, environmental protection, labor standards, then maybe it is time to think about doing something different, and perhaps the House of Representatives is on the verge of doing that. Perhaps they are beginning to listen to the large majority of the American people. We are going to run a trade deficit this year of \$2 billion a day.

□ 2045

Every billion dollars represents tens of thousands of lost jobs, the export of our industrial base, and, now, the export of our knowledge base.

We cannot continue these same failed policies as the President would have us do. I have heard that they have begun the purchasing phase of the CAFTA agreement.

Now, most Americans would wonder, what is the purchasing phase? Well, they have tried the strong-arm phase for the last year. They still do not have enough votes to jam another failed trade agreement through the United States House of Representatives. So I am told by friends on the other side of the aisle that they are about to begin the purchasing phase.

The White House is open for business. What do you need? How much does it cost? What can we do for you? It is not any argument that this is somehow going to deal with our trade deficit, help raise wages here at home, help provide jobs here at home; it is all about what deal can we cut for you so these same multinational corporations can continue to move jobs offshore, and, in this case, a little closer to

home. Perhaps they could avoid some of the transport costs from China or India where they have sent many of our other jobs, or Vietnam, and they can find almost as exploitable and cheap labor in Central America.

The combined buying power of these five nations is less than four days' purchasing power of the United States of America. If every person in these affected nations spent every cent they earned in the next year, it would be totally insignificant to the American economy; and, obviously, they are not going to do that. So it is very much the same as NAFTA: it is to move our plants, our equipment, some workers have even been made to package up their machines and train their replacements in the case of NAFTA, and they will be doing the same thing under CAFTA.

Mr. Speaker, it is time for a major change in policy. It is time for a policy that brings jobs home to America, that puts people at work here in America, that helps maintain wages in our country, and helps bring people overseas up to our standards instead of trying to drag the American people down to the lowest common denominator.

I hope that Members, particularly on the other side of the aisle, will not be bought by the White House in this debate and they will vote in the interests of the people who sent them here to Washington, DC.

A TRIBUTE TO TSCL VICE CHAIR DOTTIE HOLMES

The SPEAKER pro tempore (Mr. MARCHANT). Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, I rise to pay tribute to a very, very special lady tonight. Dorothy "Dottie" Holmes served in the United States Air Force from 1949 to 1979. She is the first female Chief Master Sergeant and first woman to retire with 30 years of continuous service in the United States Air Force. She received 14 different awards and decorations during her career, the highest being the Legion of Merit Award.

Dottie Holmes was recalled to active duty twice to serve on the Air Force Chief of Staff Advisory Council For Retiree Affairs. She currently serves as a trustee on the TREA Senior Citizens League Board, a position that she has held since 2001. She previously served as a trustee on TSCL from 1995 to 1996.

Dottie Holmes is a life member of the Retired Enlisted Association. She served as the National President, the only woman to do so. She was a National first Vice President, and the National second Vice President of that organization as well. She actively served on the TREA Convention, Finance, Planning, Membership, Bylaws, and Rules Committees during the 1990s. She also served as president, Vice President, and Secretary of Chapter 1 Building Board Association.

She has been active in community affairs. Dottie Holmes served as a Pikes Peak Regional USO council member. She served as a Colorado State Field Representative For Women in Military Service, a part of their Memorial Foundation. She served as a city and county election judge, a USAFA Special Olympics volunteer. She also served at Peterson Air Force Base as a staff judge advocate volunteer. She currently serves as President of the Women in the Air Force Association.

She is considered an authority, and let me say a real authority, on the Air Force Academy. For many of the years that she served in the Air Force, she served as sort of the den mother to an awful lot of those cadets who went on to become officers in the United States Air Force.

The management skills of Dottie that she acquired from service in the Air Force and in her community service were enhanced by her college studies and management. At TREA Senior Citizens League, she has served as Vice President of the Board of Trustees for the past several years. She has demonstrated outstanding leadership in helping to oversee the Board's rise to prominence as a really accredited and acclaimed seniors' group.

In numerous meetings with Members of Congress, vice-chair Dottie Holmes demonstrated strength and determination in representing their position on important issues affecting seniors around the United States. She persuaded many legislators to send articles to her to appear in their newsletter, and she has just been an amazing and powerful force for issues that seniors care about. Dottie Holmes contributed greatly to the seniors of America with her work on that board. She has done the country and her Air Force service proud.

From the very first day that I met Dottie Holmes, it was apparent that she was an exceptional lady. It has been a personal pleasure of mine to work with her during the past several years on behalf of seniors' issues, especially on behalf of her interest in making affordable drugs more available to seniors here in the United States. She championed the cause of safer and less expensive drugs when she spoke on a panel at a town hall meeting we held last year in Denver. Her convincing voice for seniors will be sorely missed here in Washington when she retires from the Board of Trustees.

I want to say a very special and personal thank you to Dottie Holmes for the example that she has set and for her lifetime of service.

CELEBRATING THE JET PROPULSION LABORATORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, during the past half century, from America's first

satellite, the grapefruit-sized Explorer I, to the International Space Station now being built 200 miles above us, human beings have begun to learn how to operate in the harsh environs of space.

America's space program operates on dual tracks. On the one hand, we have stressed human space flight, an inspiring, but dangerous undertaking. With the exception of the Apollo lunar landing missions, humans have not ventured beyond the low-earth orbit. The other track that we have followed is the robotic exploration of our solar system, using spacecraft that are more impervious to the harsh conditions of space and unaffected by the enormous distances necessary to explore our planetary neighbors.

Our unmanned space probes, from the Ranger and Surveyor craft that paved the way for Apollo, to the Voyager spacecraft that explored the outer planets and are still continuing to send back data even as they leave the solar system, have increased our understanding of the universe beyond anything even contemplated half a century ago.

On Mars, we have witnessed dust storms on Olympus Mons, the largest mountain in the solar system. We have peered through Venus's clouds and its broiling surface. We have discovered new moons and ring systems around outer planets. As I speak, a small spacecraft bearing dust from a comet is zooming back towards Earth and will parachute into Utah on January 15 of this coming year. A coffee table-sized probe named Deep Impact is scheduled to crash into another comet on July 4 of this year, a feat described to me recently by scientist Charles—Elachi as hitting a bullet with a bullet.

NASA's jet propulsion laboratory managed by the California Institute of Technology has designed, built, or controlled all of these programs. JPL has been a pioneer of our exploration of the solar system from the beginning of our space program. Earlier, I mentioned JPL's Explorer I, America's first satellite. At the time that it was launched, the United States had fallen behind the Soviet Union in the space race, and several other attempts at getting an American Sputnik into orbit had ended in fiery explosions on the launch pad.

Every American space probe that has visited another planet was managed by JPL. Through the wonders of technology, we have zoomed by Jupiter with Voyager, witnessed a Martian sunset with Viking, rolled across the surface of Mars with our rovers, and marveled at Saturn's rings with Cassini.

Whom do we have to thank for unlocking the wonders of the solar system, for providing brilliant, three-dimensional images of the Martian surface, for bringing us the multi-hued clouds of Jupiter and the cold beauty of Saturn? For this, we must thank the women and men of the Jet Propulsion

Laboratory in Pasadena, California. Under the leadership of Dr. Charles Elachi, the men and women of JPL work tirelessly to develop and manage America's robotic exploration of space.

Last January, even as we still mourned the loss of the crew of *Columbia* and the consequential interruption of the Shuttle program, JPL brought America back to Mars. The Spirit rover and its twin, Opportunity, landed on Mars to begin what was planned as a 3-month mission to evaluate whether conditions would at one time have been suitable for life on that planet.

Equipped with cameras, spectrometers and a grinder, America's robotic explorers have been hard at work for more than 16 months and are still going strong. Their discovery of evidence of past water on Mars last year was the top scientific "Breakthrough of the Year," according to the journal "Science." People around the world have been captivated by the stunning photographs of the Martian surface and the planet's ruddy sky. JPL's website is been visited more than 16 billion times; and, that is right, billion.

Last July, Cassini arrived at Saturn to begin a multiyear exploration of the planet and its myriad moons. Cassini carried with it a small European-built probe that landed on Saturn's largest moon, Titan, earlier this year.

JPL's spectacular missions have not only brought us incalculable scientific data, they have also sustained America's interest in space flight, especially the Mars missions. Now, as NASA prepares to accelerate the development of the Crew Exploration Vehicle and move forward with the return of humans to the moon, the space agency and Congress must take care to continue to provide adequate resources to support the robotic exploration of space that is JPL's specialty. In the short term, JPL is in danger of being a victim of its own success as the continued operation of Spirit and Opportunity have put pressure on the budget for the overall exploration of Mars.

Last year, the President announced a long-term goal of landing on Mars. This is an ambitious and worthy goal, but the technological and physiological challenges, not to mention the cost, means that it will be decades before an American walks on the Martian surface. In the interim, we have to keep interest in space high as we continue to explore the red planet and our other neighbors with relatively inexpensive probes that are better equipped than humans to survive the extreme hardship of long-duration space travel.

Mr. Speaker, as we continue to contemplate the future of our space program, I urge NASA and my colleagues not to deprive JPL one of the crown jewels of the American science and technology program of adequate resources. For thousands of years, people have gazed into the heaven and wondered what was up there. Thanks to NASA and the Jet Propulsion Laboratory, we are beginning to learn the answers to that age-old question.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

(Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. POE. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

NATIONAL SECURITY AND PUBLIC SAFETY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, I rise today to discuss national security and public safety for our country and who is responsible for that duty.

Public safety, that is the first duty of government. Local security, local public safety goes to local cities and local law enforcement. National security, national public safety is the responsibility of the Federal Government.

But there is an unfunded public safety mandate that is affixating an already struggling industry: our airline industry. The airline industry is an important sector of the American economy. With increasing fuel costs and taxes, the industry lost \$9 billion last year alone and has lost \$32 billion since September 11, 2001. Presently, taxes and fees comprise 26 percent of a \$200 airline ticket. The flights seem to be at near capacity, yet some airlines are losing money, and I want to mention just one reason why.

Although the Federal Government has taken over much of the security for air travel after the terrorist attacks of September 11, airlines are still paying for national security and public safety. The airline industry forks over \$777 million a year out of their own pockets for an unfunded Federal security mandate such as catering, security, security for checkpoints and exit lanes, and first class, or first flight cabin sweeps.

Specifically, the people who load the peanuts on the airplanes, for example, the airlines are forced to expend \$81 million, not only on their salaries, but the security checks on these caterers.

□ 2100

The people who match your ticket with your driver's license, and then mark it up with a red Crayola at checkpoints and exit lanes, airlines, not the government, dispense roughly \$80 million on these people.

And the first flight cabin sweep crew that inspects the plane prior to boarding, the people who check for bombs in the bathrooms, airlines pick up a \$26 million tab for them.

But perhaps the largest unfunded security mandate is the Federal Air Marshal Service, the one which costs the airlines \$195 million every year. Under current law Federal air marshals are permitted to fly without a cost to the Federal Government or the air marshals.

They sometime fly in pairs, and sometime sit in first class seats to allow them to better protect the cockpit. But they can bump off the plane a paying passenger as well. The Air Transportation Association estimates that airlines are losing \$195 million a year in opportunity costs by losing these seats.

Continental Airlines, a carrier based out of Houston, Texas, part of my Congressional district, loses \$7 to \$9 million a year because they cannot sell the seats used by Federal marshals to the public.

I say again, national security and public safety are the responsibilities of the Federal Government. If the Federal Government wants air marshals on our airplanes, the Federal Government should pay for this service.

The Federal Government should shell out the money to pay for the travel of Federal air marshals, because this is a law enforcement expense, instead of saddling the expenditure on the airplanes.

Mr. Speaker, we want the Federal air marshals on our planes, and while many of their accomplishments remain below the radar, their presence on thousands of domestic flights since 9/11 have helped to maintain the safety of our skies, but the Government should pay their way.

Mr. Speaker, some may argue that it is the airline's responsibility to provide for some reasonable security. Well, the airplanes already cough up scores of dollars to comply with Federal regulations. For example, the Federal Airline Administration reports that full deployment of hardened cockpit doors meeting outlined specifications have been implemented on about 10,000 airliners and foreign aircraft flying to and from the United States.

Who paid for most of this, Mr. Speaker? The airlines, because the Government, our Government told them to.

Still, airlines face additional expenditures in the name of safety. Video monitors and other devices to alert pilots of cabin activity as well as guns in the cockpit are just a few of the other efforts being undertaken by the industry, all of which, Mr. Speaker, cost money.

If the Government does not offer financial assistance to implement these technologies, who will? Once again, it is the airlines. When will we be substantially decreasing the hundreds of millions of dollars they incur in unfunded Federal security mandates?

Mr. Speaker, we must bring some relief to these carriers by reducing these unfunded mandates that they are expected to pay.

I urge my colleagues to help preserve this vital industry and start imploring

our Government to pay for the security of this Nation.

When you are spending taxpayer money for bridges that go nowhere, funding fish hatcheries and wasting precious dollars on foreign give-away programs, we must be responsible to the country by securing the air. That is the first duty of government.

Mr. Speaker, when the next airline files for bankruptcy, we will all bemoan the tragic news, but unless we change our policy the Federal Government will be responsible for putting an institution, the airline industry, on the road of economic ruin, and then we will ask the question what happened to the airlines in our skies.

REDUCE OUR DEPENDENCE ON FOSSIL FUELS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes?

Ms. WOOLSEY. Mr. Speaker, if we want to reduce the threat of terrorism against the United States, we must first reduce America's dependence on foreign oil. Nothing threatens our country and our security more than our reliance on oil from repressive Middle East regimes like Saudi Arabia and Libya.

Of the 21 million barrels of oil consumed by the U.S. each day, 14 million are imported from other countries. Most are imported from the Middle East, where as we know democracy is not pervasive. This lack of democracy allows the authoritarian leaders of many Middle East countries to pocket billions of dollars each year from American oil purchases.

So while the leaders of these countries are becoming increasingly wealthy, the rest of their people fail to benefit from the oil proceeds. Sadly, this economic disparity allows the powerful elite to tighten their hold over their people.

This repressive power structure allows the conditions which give rise to terrorism, resource scarcity, extreme poverty, and lack of education to run rampant. It is quite clear that we need to decrease our dependence on foreign oil in order to keep America safe from the threat of terrorism.

But there is a right way, and there is a wrong way to accomplish this goal. Many Members of Congress have suggested, today in fact, that we can simply drill for gas and oil off the coasts of our shores, or in places like the Arctic National Wildlife Refuge in Alaska to solve our energy crisis.

Unfortunately this suggestion is just plain wrong. In fact, drilling for oil in the United States would do little to immediately reduce our dependence on foreign oil, because it would take at least a decade to get a drilling operation up and running in ANWR or off our coasts, and even then there is no telling whether there is usable oil.

That does not sound like a comprehensive energy strategy to me. No.

Drilling for oil just is not the answer. We need to accept the fact that fossil fuel is a thing of the past. To solve the current energy crisis and to prepare for a secure and successful future, we need to invest in conservation and renewable and efficient sources of energy.

For example, providing tax incentives for the construction of energy efficient buildings and manufacturing energy efficient heating and water heating equipment could save 300 trillion cubic feet of natural gas over 50 years.

By failing to take advantage of renewable energy technologies, we are continuing to promote our national insecurity by providing billions of dollars each year to repressive regimes.

That is why I have reintroduced the smart security resolution, H. Con. Res. 158. SMART is a sensible multilateral American response to terrorism.

SMART will help secure America for the future by preventing the threat of terrorism, by reducing nuclear stockpiles, eliminating the possible use of nuclear weapons through diplomatic means, and establishing a new Apollo project to secure America's energy independence.

Many Members of Congress understand the importance of reducing our dependence on foreign oil to ensure our national security, and that is why 49 of my colleagues signed on as original cosponsors to the SMART security resolution.

Mr. Speaker, our Nation's energy and foreign policies are interconnected. One cannot address one without addressing the other. That is why SMART security promotes a new Apollo project that will ensure our Nation's energy security within the next 10 to 15 years.

If we fail to address this problem, we will only ensure the continuation of deep disparities of wealth in the Middle East. These misguided policies will encourage future acts of terrorism, which will encourage future warfare.

And speaking of warfare, do we know for sure that our reason for attacking Iraq was not to take control of Iraqi's oil? Until we are independent of our need for foreign oil, we will always be suspect. It is time to get serious about our reliance on foreign oil, which will lead directly to a smarter security strategy.

METHAMPHETAMINE PROBLEMS

The SPEAKER pro tempore (Mr. MARCHANT). Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

Mr. OSBORNE. Mr. Speaker, this evening I would like to discuss a major problem that is moving rapidly across the country. That is the problem of methamphetamine.

Methamphetamines first came into prominence during World War II. Many Japanese kamikaze pilots were given methamphetamine to allow them to finish their mission.

From that point on it spread to Hells Angel and other biker groups on the West Coast and has been slowly spreading its way from west to east across the country. It is the most highly addictive drug that is known at the present time, often causes complete addiction after only one usage.

It creates a euphoria that lasts between 6 and 8 hours. There is a huge dopamine release in the brain, and it is cheap. It costs much less than heroin and cocaine, provides increased energy. Many young mothers who have two or three kids and have a tremendous energy drain become drawn to this particular drug.

People who are working two jobs, sometimes truck drivers who want to stay awake for 2 or 3 days on end find that methamphetamine serves their ends. Often it always results in fairly rapid weight loss.

However, whatever goes up must come down, and we find that those who are using methamphetamine usually will experience, at times, extreme anxiety, depression, hallucinations, many times will actually sink into a psychosis.

Violent behavior is often a side effect. Many methamphetamine addicts experience crank bugs. These are the hallucination that there is a bug underneath the skin. As a result, in order to get those bugs out, they will pick at their skin. That will cause rather extreme skin lesions to result.

Also, when they use it orally, their teeth disintegrate very rapidly, extremely quick aging, and usually death ensues within a few years of methamphetamine use.

It always causes brain damage. And much of this brain damage is irreversible. An 18-year old who has been on meth for a year will have a brain scan that will look very like an 80-year old Alzheimer's patient. There is so much brain tissue that has been destroyed, that the two brain scans are somewhat indistinguishable.

It is very common to see a great deal of meth abuse in rural areas. And this is due to the fact that when you manufacture meth, there is a very strong odor of ether. And as a result, if you manufacture in the city, sometimes that odor is easily detectable.

The chief ingredient of methamphetamine is pseudophedrine, a common cold medicine. Oklahoma has done a fairly effective job of eliminating the meth labs by making pseudophedrine a class V substance. And that puts it behind the pharmacy counter.

But many other States have failed to follow suit. Other ingredients of methamphetamine are lithium batteries, drain cleaner, starter fluid, anhydrous ammonia, and iodine.

It is a tremendously toxic mix, and of course it leaves a lot of toxic waste. In order to clean up a methamphetamine lab, it will cost anywhere from \$5 to \$6,000. Many of the suits that are worn by those cleaning up those meth labs cost about \$500, and they can only be used one time because of the toxicity.

Some areas of middle America have had as many as 1,500 to 2,000 meth labs per year in these States, so it a huge expense to clean up, and a huge problem in terms of addiction.

The average meth addict, in my State, Nebraska, will commit roughly 60 crimes a year to feed that habit. So if you have ten meth addicts in a community that is 600 crimes a year. If that a small town that is a huge impact.

Much of the child abuse, child neglect, homicides, suicides that we see in these areas are due directly to methamphetamine abuse. Many counties in these areas spend 70 to 80 percent of their law enforcement dollars and their manpower on meth issues.

Our jail cells and our prisons are filled. We simply cannot keep up and take care of the methamphetamine problem. So the question is, what can Congress do with this huge problem? Currently our Byrne and our HIDTA funds, which are high intensity drug trafficking funds have been drastically reduced. We need to restore these funds. This is a huge problem in terms of funding.

The gentleman from Missouri (Mr. BLUNT) and also the gentleman from Indiana (Mr. SOUDER) have introduced legislation that regulates the sale of pseudophedrine that is necessary in the manufacture of methamphetamine. And also they would provide extra funds for meth lab clean-ups.

The gentleman from Indiana (Mr. SOUDER's) bill tracks manufacturers of pseudophedrine worldwide. And of course the pseudophedrine goes to many of the super labs, they are only seven or eight factories for pseudophedrine worldwide. And so if we know where those drugs are going, where the pseudophedrine is going, we have a pretty good idea where the super labs are.

So these bills would be tremendously helpful. So I call attention to the meth problem, call attention to the reduction in funding, and we really need to do everything we can to stamp this problem out.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 2115

THE DAY HAS COME TO EXIT IRAQ

The SPEAKER pro tempore (Mr. MARCHANT). Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, in this week's Conservative Chronicle, William F. Buckley has a column entitled "Day has come to Exit Iraq."

He refers to the U.S. casualty figures, now over 1,600 dead and 11,000 wounded, and we continue to lose about 50 dead a month, and says, "Moreover, the Iraqi deaths have increased substantially since the national election in January."

Mr. Buckley writes, "We are entitled to say to ourselves: If the bloodletting is to go on, it can do so without our involvement in it."

He adds, "The day has come where we say that our part of the job is done as well as it can be done. It is Iraq's responsibility to move on to wherever Iraq intends to go."

Of course, several months ago, Mr. Buckley said that if he known in 2002 what he knows now, he never would have supported the war in Iraq in the first place.

These words are from William F. Buckley, a man author Lee Edwards described as the "godfather" of the conservative movement.

There never was anything conservative about the war in Iraq. I said from the start that it would mean massive foreign aid, huge deficit spending, and that it was not far to place almost all the entire burden of enforcing U.N. resolutions on our taxpayers and our military. Conservatives have traditionally been the biggest critics of the U.N., and the worst part of all, of course, is all the deaths.

All to bring do not an evil man, but one whose military budget was 2/10ths of 1 percent of ours and who was no threat to us whatsoever.

Two months before the House voted to authorize the war in Iraq, our then-Majority leader, Dick Armey, said, "I don't believe that America will justifiably make an attack on another Nation. My on view would be to let him, Saddam Hussein, rant and rave all he wants and let that be a matter between he and his own country. We should not be addressing any attack or resources against him."

Mr. Armey understood there was nothing conservative about the war in Iraq.

I voted in 1998 to give \$100 million to the Iraqi opposition to help them remove Hussein. We should have let the Iraqis remove Hussein instead of sending our troops to fight and die there. Iraq had not attacked us or even threatened to attack us, and they were not even able to attack us.

By the end of this year, we will have spent \$300 billion in Iraq and Afghanistan, with probably 85 to 90 percent of that being in Iraq.

But are we following the latest advice by William F. Buckley in getting out? No. Unfortunately, we are doing just the opposite.

Paul Wolfowitz, the father of this war, told the House Committee on Armed Services several months ago that we would have to be in Iraq for at least 10 years.

Last week, a Congressional Quarterly headline said, "with ink just dry on War Supplemental, more spending expected before August."

The Congress has just approved \$82 billion more and now we are told we will be asked for even more as early as this coming August.

Instead of getting out, as William Buckley has recommended, Congress Daily reported last week that a Congressional Research Service study "portends a more permanent presence" in Iraq and the Middle East.

The report noted approval of \$2.2 billion for additional military construction in the Middle East, supporting activities in Iraq, including \$75 million for an airfield in Kuwait, \$66 million for an air base in the United Arab Emirates, and \$43 million for a new runway in Uzbekistan.

At a time, Mr. Speaker, when we are closing down bases in the U.S., we are building like crazy all over the world, especially in Iraq and the Middle East.

I am pro-military and pro-national defense, but I do not believe we can shoulder the defense of the entire world.

Our Founding Fathers would be shocked at what we are doing, and most of what we have done in Iraq is pure foreign aid, rebuilding roads, several thousand schools, power plants, bridges, water systems, free medical care and on and on and on. I believe in having a strong Department of Defense, but I do not believe it should be a department of foreign aid.

Syndicated columnist Georgie Ann Geyer wrote, "Critics of the war against Iraq have said since the beginning of the conflict that Americans, still strangely complacent about overseas wars being waged by a minority in their name, will inevitably come to a point where they will see they have to have a government that provides services at home or one that seeks empire across the globe."

Seventeen American soldiers were killed in Iraq over the last two weekends and a few others during the week.

Some have said if we pull out a civil war would erupt there. Well, what do my colleagues think we have there now?

We should at least stop the killing of American kids, heed the advice of William F. Buckley, Junior, and begin a phased and orderly withdrawal.

We cannot afford to stay there for years either in terms of lives or money.

NORTH CAROLINA'S NATIONAL CHAMPIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Speaker, as a proud alumnus of the University of North Carolina at Chapel Hill, I am pleased to join several North Carolina colleagues tonight in honoring our amazing Tar Heels.

It has been six weeks since the Tar Heels were crowned the 2005 NCAA Men's Basketball National Champions, but the news accounts of their victory still paper the front door to my office. My staff tells me that nearly every day a Capitol visitor spots the coverage and walks in unannounced to say that his or her children want to go to UNC. That is music to our ears.

We know it is not all because of the basketball program, of course. UNC Chapel Hill is a fine school with an excellent academic reputation. The university consistently ranks among the Nation's top public institutions, and last year, it joined Harvard and Stanford as the only schools with prestigious Rhodes, Luce, Truman and Goldwater scholarship winners.

It sure is nice to also be among the Nation's athletic elite.

The UNC team knows what it is to come back from adversity. The championship win was especially sweet for North Carolina's three seniors, who helped lead an impressive comeback from freshman year challenges to the glory of that final game, and we are well aware of the challenges next year's team will face without these seniors and some other fine players.

But Coach Roy Williams has led Carolina to victory once, and he is going to do it again, with the same spirit and heart and dedication that he inspired in this year's championship team. Coach Williams long ago established himself as one of the premier recruiters in the country, and the talented class of 2006 that he has landed, which already includes the number one point guard in the Nation, should give us all comfort that the future we are going have is a bright future for the men in Carolina blue.

So, Mr. Speaker, I suppose that tomorrow we may finally take that newspaper down off of the front door of my office and put it in a scrapbook, but I am not the least bit worried.

That championship banner hanging from the rafters in the Dean Smith Center in Chapel Hill will be there forever alongside the many other banners that recount the proud history of one of the most storied programs in college basketball, and it will not be long before we have new banners to take pride in and more good news with which to paper our front door.

UNIVERSITY OF NORTH CAROLINA BASKETBALL CHAMPIONSHIP

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from North Carolina (Mr. ETHERIDGE) is recognized for 5 minutes.

Mr. ETHERIDGE. Mr. Speaker, I join my friend the gentleman from North Carolina (Mr. PRICE) and my other colleagues tonight because I want to take this opportunity to congratulate the University of North Carolina's men's basketball team on their latest national championship. As has been already been stated, soon the North Carolina Tar Heels will be raising the school's fourth NCAA basketball championship banner in the rafters of the Dean Dome.

In North Carolina, college basketball is as much a part of our culture as barbecue and sweet tea. Children know whether they support Carolina or Duke or Wake Forest or North Carolina State before they can walk, and a good basketball season is almost a birth-right in North Carolina. It has been 12 years and a few close calls since Carolina's won a championship, but after a spectacular season, the nets have again been cut and another championship trophy is in Chapel Hill.

In the NCAA champion game in April, the Tar Heels defeated the Illinois fighting Illini 75 to 70 in an outstanding display of teamwork and outstanding talent. Led by the performance of now former players Raymond Felton and Sean May, the Tar Heels played strong basketball on both ends of the court, along with the other members. They were able to make critical baskets when the game was on the line and played tough defense that stifled their opponent when necessary.

Just 2 years ago, Coach Roy Williams came home to North Carolina to coach a Tar Heel team coming off an 8-20 season. His leadership turned a group of talented young men into great players with heart and determination. They made a commitment to work hard, to become a better team, and now they will join the ranks of other North Carolina basketball championship players, and the list is long, two of whom I will mention, Michael Jordan and James Worthy.

As the gentleman from North Carolina (Mr. PRICE) has previously stated, UNC is well-known for producing student athletes who not only succeed in the NBA but in every walk of life, and this is important, from the university with a rich history.

I wish the best of luck to the graduating seniors and expect that they will continue to have success in their future endeavor, and I am proud to join again my colleague the gentleman from North Carolina (Mr. PRICE) and my other North Carolina colleagues this evening in congratulating the University of North Carolina players, coaches and their fans on this singular accomplishment. Go Tar Heels.

UNIVERSITY OF NORTH CAROLINA: A NATIONAL POWER IN COLLEGE BASKETBALL

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from North Carolina (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of North Carolina. Mr. Speaker, there are a few things in life about which I am certain.

I am certain that the word "barbecue" means chopped pork with a vinegar-based sauce.

I am certain that ordering grits north of Richmond is a terrible gamble.

And I am certain that the order of the universe, the plan of salvation, provides that the University of North Carolina will be a national power in college basketball.

Mr. Speaker, it was tough for a couple of years, but order has been restored.

With the gentleman from North Carolina (Mr. MCINTYRE) I attended this year's Final Four in St. Louis. I honored the tradition begun by Roy Williams, who was then an assistant to Dean Smith, at the Final Four in New Orleans in 1982: I spat in the Mississippi River for luck.

I went to the top of the Gateway Arch, and I spat in Mississippi. I visited the Museum of Westward Expansion, and I spat in the Mississippi. I visited the old courthouse where the Dred Scott case was tried, and I spat in the Mississippi. Mr. Speaker, I went through the weekend with a cotton mouth. At times I was dizzy from dehydration, all from the constant spitting, but my efforts were amply rewarded in the semifinal against Michigan State and in the final against Illinois.

North Carolina played tough defense. They hustled they played team ball and they won it all.

I am proud of my alma mater, and I am proud of our basketball program. I am proud that our program has always taken academics seriously, and even those players who left early for NBA careers have usually returned to summer school to complete their degrees. I am proud that our program has taken NCAA rules seriously, and of course, I am proud of our victories.

I want to congratulate the coaches and the players from the 2005 National Championship team, as well as the students, the faculty and staff, the alumni and the fans. I thank our players for the joy they brought all Carolina fans by their victory.

Next year may be tough, with our seven leading scorers all either graduating or leaving for the NBA, but Jawad Williams, Jackie Manuel, Melvin Scott, Sean May, Rashad McCants, Raymond Felton, Marvin Williams, but Mr. Speaker, I am confident that we will again be back to the Final Four and soon.

We have talented young players from this year's team, this last year's team, who are returning, who welcome to our program a strong class of incoming freshman. They are very talented high school juniors who are now contemplating scholarship offers and the opportunity to be part of the Carolina basketball tradition.

All these incoming players will come to understand what the Carolina basketball tradition means. It is about

winning championships, but it is also about making us proud, proud of them as athletes, as students and as human beings, and Mr. Speaker, it is about maintaining the order of the universe.

THE DREAM HAS COME TRUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCINTYRE) is recognized for 5 minutes.

Mr. MCINTYRE. Mr. Speaker, 9 weeks ago, 17 young men from the University of North Carolina stood here on the floor of this chamber. They came here to visit us in Washington and to visit our national Capitol during the ACC tournament.

Today, those same young men are now national champions. In the 3 weeks following their visit to Washington, they went from Chapel Hill to Charlotte to Syracuse to St. Louis where the road to the National Collegiate Athletic Association's Final Four ended, and with their reign as national basketball champions began.

As a double graduate of UNC, but more importantly, as a father, I was thrilled to be in St. Louis for the Final Four along with my colleague the gentleman from North Carolina (Mr. MILLER) and so many others, to witness the Tar Heels' triumph, that I also shared with two Carolina students, my sons, Joshua and Stephen.

□ 2130

Since they knew many of the Carolina players personally, we were particularly pleased to see this team soar from the agony of an 8 and 20 season 3 years earlier, to a 34 and 4 season that exemplified the very best in the Carolina tradition and the very best in collegiate basketball.

With the return of Coach Roy Williams to his alma mater 2 years ago, a rebuilding program began that ended in a storybook finish. Sean May, the son of one of the best ever in Final Four history, repeated his father's, Scott May's, exploits from the National Championship game of 1976. And Sean, on his birthday, April 4, became the most outstanding player of the 2005 Final Four.

It was a team effort, emblematic of the Carolina way, as former Head Coach Dean Smith would call it. There were a host of heroes:

Raymond Felton, the hard-charging point guard from the little town of Latta, South Carolina, which is just across the border from my small hometown of Lumberton, North Carolina, who made the critical free-throws, a steal and a rebound in the closing minutes to seal the victory over the University of Illinois in the championship game.

Rashad McCants, the All America swingman, whose blocked shot and steal and barrage of points against Wisconsin a week earlier in Eastern Regional propelled Carolina to the next level.

Jawad Williams, the senior who could do it all, offensively and defensively, and whose faith and character were a powerful witness.

Jackie Manuel, the 2004 defensive player of the year in the Atlantic Coast Conference;

Melvin Scott, the senior whose 3-point threat often opened up an opponent's defense;

David Noel, the critical cog in the Tarheels explosive machine off the bench;

Marvin Williams, the fabulous freshman phenomenon whose tip-in put Carolina ahead for good in the championship game; and all the rest of the players managers, trainers, assistant coaches, and other critical staff to whom we are grateful for their example of excellence, their patience, passion, purpose, and persistence, all characteristics that constitute the courage and the commitment of champions.

With five national championships, four of them since the NCAA officially started the tournament, as well as 16 Final Four appearances, 15 ACC tournament titles, and over 1,850 wins, the Carolina way is one that represents the very best of those attributes which so many other colleges and universities emulate.

My wife's sons and I were thrilled in March to host the National Champions at the national capital, and we now look forward to their visit to the White House. And we look forward to that long-awaited National Championship banner, when it is raised in the rafters in the Dean Smith Center in Chapel Hill this fall.

May God bless those Tarheels. Indeed, the dream has come true for those who wear Carolina blue.

UNIVERSITY OF NORTH CAROLINA MEN'S BASKETBALL CHAMPIONSHIP

The SPEAKER pro tempore (Mr. MARCHANT). Under a previous order of the House, the gentleman from North Carolina (Mr. BUTTERFIELD) is recognized for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, tonight we have all talked about how sweet and how wonderful it was for the University of North Carolina to be crowned as the NCAA Champions. But Mr. Speaker what makes this team so special is how well they exemplified what it means to be a team.

Winning the five games on their way to claiming their fourth national championship, three different players led the team in scoring and four players led the team in rebounding. Sean May certainly earned the honor of tournament MVP. But the road to the finals required the collective effort of the entire team.

After two easy wins again, Oakland and Iowa, Carolina fans collectively held their breath when the referee's whistle blew in the final seconds against Villanova. Fear of a shooting foul turned into the joy of a traveling

call against Villanova, and the Heels held on for the one-point win. A strong game against Wisconsin then sent Carolina on to the final game in St. Louis.

The game brought together the two best teams in the country. It was a fitting finale to a memorable season and an exciting NCAA tournament. Fittingly, the game was full of tension and drama until the waning seconds. Illinois showed the perseverance and will that had resulted in 37 wins, while Carolina showed the determination, the unity, and the cohesion needed to overcome a team that went undefeated for much of the season.

This Carolina team, Mr. Speaker, would have made Dean Smith proud, because they won using a primary tenet of his Carolina way: They shared the ball and they played unselfishly. By playing as a team, they led the Nation in scoring and assists, and they played at a pace very few teams could manage.

Therefore, on behalf of the citizens of the First Congressional District of North Carolina, my congratulations go to Coach Williams and to every member of the University of North Carolina basketball team. You have made us proud across our State and you have shown us the great benefit of working as a team. Congratulations and best wishes.

TRIBUTE TO ANSLEY MEADERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, I rise today to pay tribute to the life and legacy of my late friend and the former Mayor of Marietta, Georgia, Mrs. Ansley Little Meaders.

Known for her quick wit, gracious hugs and dedication to her community, Ansley committed herself to making a difference for the City of Marietta and its schools.

Born on one of Marietta's oldest families, Ansley graduated from Marietta High School in 1964 where she was a star on the girl's basketball team. After attending the University of Georgia, she married her high school sweetheart, Frank Meaders, and followed in her father's footsteps and spent more than 20 years in banking.

Upon the passing of former Marietta Mayor Joe Mack Wilson, Ansley was drafted by many to seek election for the city's top job. She won a special election in the summer of 1993, and was reelected twice more, thus serving for more than 8 years, making her the third longest serving Marietta mayor.

Ansley had a different approach to politics. She was determined not to allow any sort of partisanship to label her. When asked whether she was a Republican or a Democrat, she was quick to respond that she was a Presbyterian.

While mayor of Marietta, Ansley was known for her love of and dedication to

the city's school system. I had the honor, Mr. Speaker, as serving as chairman of the Marietta School Board during that time, and I experienced firsthand the compassion and commitment she had for the schools.

In 1984, Ansley conceived the idea of Marietta's Schools Foundation, an organization to support the teachers and the students of Marietta. As the organization's president, Ansley presented the Distinguished Alumni Award at nearly every Marietta High School graduation ceremony for more than 20 years. And each year she urged graduating seniors to be loyal to their alma mater, to their community, and to the valued friendships created at Marietta High.

As the city's leader, Ansley was successful in lowering taxes and improving city services, building a new courthouse, adding two new fire stations, and constructing a new police headquarters. Even with all of her accomplishments, she remained a gracious and humble leader.

Two weeks ago, on May 4, 2005, Ansley Meaders suffered a fatal heart attack while cooking dinner in her home. This devastating news fell over the community like a dark cloud, Mr. Speaker. One of our greatest community members had slipped away from us. She leaves behind her husband of more than 40 years, Frank, two children, Mary Ansley and Robert, and four precious grandchildren, Rosser, Georgia, Trey and Hunter; and an entire community who loved her dearly.

After only 59 years, Ansley's life and physical presence in her beloved Marietta, Georgia, has ended. But, Mr. Speaker, her passing leaves Marietta with a legacy of service, dedication, and humble leadership that will remain for generations to come. God bless Mayor Ansley Meaders.

CAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, CAFTA, the United States Central American Free Trade Agreement, is yet another unfair trade deal that will hurt American workers. CAFTA is the latest unfair trade deal in a decade of failed trade policies. Over the last 12 years, the United States trade deficit has exploded from \$39 billion in 1992 to over \$618 billion in 2004. If CAFTA becomes effective, the result will be fewer jobs for American workers.

CAFTA is modeled on NAFTA, the North American Free Trade Agreement, which had and continues to have a devastating impact on many American workers. When NAFTA was passed in 1994, the United States had a \$2 billion trade surplus with Mexico. In 2004, we had a \$45 billion trade deficit in Mexico. That means our trade deficit with Mexico increased by an average of \$4.7 billion per year over the last 10

years. As a result of NAFTA, the United States has been exporting American jobs to Mexico.

Mr. Speaker, the countries of Central America already receive preferential trade benefits. About 80 percent of exports from CAFTA countries enter the United States duty free. If CAFTA is passed, 100 percent of nontextile manufactured goods from Central America will enter the United States duty free.

CAFTA supporters like to claim that CAFTA will create new markets for American products, but this argument is highly flawed. The six countries of Central America, El Salvador, Guatemala, Honduras, Nicaragua, Costa Rica, and the Dominican Republic are among the world's smallest economies. These six countries have a combined economic output of only \$85 billion. My home city, Metropolitan Los Angeles, with a \$411 billion economy, produces nearly five times the volume of goods and services as the CAFTA countries. The CAFTA countries are simply just too small to absorb a significant quantity of American manufactured goods.

Unfortunately, the countries of Central America also are among the poorest countries. The average Nicaraguan worker earns only \$2,300 per year, or about \$191 per month. Forty percent of Central American workers earn less than \$2 per day. Central American workers simply cannot afford to buy American cars from Ohio or American computers from California.

Mr. Speaker, I have spent much of my time in Congress working on the issue of debt relief for poor countries. Two of the CAFTA countries, Honduras and Nicaragua, are included in my legislation, H.R. 1130, The Jubilee Act, which cancels the debts that poor countries owe to multilateral institutions like the International Monetary Fund and the World Bank. In 2004, Nicaragua paid these institutions \$107 million in debt service payments. That is \$107 million that Nicaraguans could not spend on American products. As long as these countries remain heavily indebted and deeply impoverished, their people will never be able to afford American products made by American workers.

Any way you look at it, CAFTA is a one-sided deal that offers limited benefits to foreign workers at a tremendous cost to American workers. The only service these six teeny Central American countries can provide to the United States is cheap labor. It is no surprise, then, that the largest share of U.S. exports to the CAFTA countries consist of fabric. This fabric is stitched into clothing and shipped right back to the United States where it is sold to American consumers.

CAFTA is not a free-trade agreement at all, it is an outsourcing agreement. It allows profit-hungry corporations to shift American jobs to impoverished countries, where workers can be forced to work long hours for little pay and no benefits. It is a bad deal for Central American workers and it is an even

worse deal for workers here in the United States.

Mr. Speaker, American workers need good jobs that pay good wages. They do not need another NAFTA. I urge my colleagues to join me in defeating CAFTA.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. TAYLOR) is recognized for 5 minutes.

(Mr. TAYLOR of Mississippi addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 2145

VOTE NO ON CAFTA

The SPEAKER pro tempore (Mr. MARCHANT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. BROWN) is recognized for 60 minutes as the designee of the minority leader.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentlewoman from California (Ms. WATERS) for her eloquence in opposition to the Central American Free Trade Agreement. She obviously understands this much better than some of my other colleagues who have not been so eloquent and thoughtful in their comments about this agreement.

I rise tonight to address the House about the Central American Free Trade Agreement. Last year President Bush signed the Central American Free Trade Agreement, a one-sided plan, as the gentlewoman from California (Ms. WATERS) said, that will lead to more outsourcing. That is what this plan is all about, and not a plan to export American products or help American industry. It is a one-sided plan to benefit multinational corporations at the expense of the United States and Central American workers, small businesses and farmers.

Every trade agreement negotiated by this administration has been ratified by Congress within 65 days of its signing. In other words, when President Bush's United States trade representative negotiated the Moroccan trade agreement, when the President signed the Australia trade agreement, the Singapore trade agreement and the Chilean trade agreement, all four of those trade agreements, upon signature of the President, were voted on by this Congress and passed within 60 days.

The Central American Free Trade Agreement, which we will discuss for a few moments tonight, has languished in Congress for nearly 1 year without a vote because this wrong-headed trade

agreement offends large numbers of Republicans and Democrats in this House, and a significantly higher percentage in the United States of America.

Look at what has happened with our trade policy in the past decade. I was elected to Congress in 1992, 13 years ago. The year I was elected, the United States had a trade deficit of \$38 billion. That means our country imported \$38 billion more goods than we exported. Today, or last year in 2004, our country's trade deficit was \$618 billion. So it went from \$38 billion to \$618 billion.

So what is the President's response to that and what is the Republican leadership's response? Let us do more trade agreements. As if they are working. It does not make sense. Opponents to the Central American Free Trade Agreement understand these numbers. We know what has happened. We can look at the numbers in 1992 when it was \$38 billion. The next year Congress passed the North American Free Trade Agreement, and the deficit began to grow. It exceeded \$100 billion in 1995. A few years later, it exceeded \$200 billion. Around this time Congress passed the China trade agreement, the China PNTR, Permanent Normal Trade Relations with China. Then our trade deficit passed \$300 billion, approaching \$400 billion. In 2003 it exceeded \$500 billion; 2004 it exceeded \$600 billion. And we are on a path in 2005 to see our trade deficit continue to explode to over \$700 billion.

It is the same old story. Every time there is a trade agreement, the President of the United States promises more jobs for Americans, promises more manufacturing done in our country, promises a higher standard of living for Americans, promises better wages for workers in developing countries, and promises a higher standard of living in poor countries.

Yet with every trade deficit, every single time, NAFTA, China, and every other trade agreement, with every trade agreement the promises fall by the wayside in favor of large business interests, not small manufacturing, machine shop owners, but big business interests. They fall by the wayside in favor of big businesses interests that send U.S. jobs overseas and exploit cheap labor abroad.

This chart, this is the last 6-or-so years and what has happened to manufacturing in our country. The States in red are States that have lost a particularly high percentage, more than 20 percent of their manufacturing. All of these States have lost more than 20 percent of their manufacturing jobs as these trade agreements have kicked in and taken effect. Michigan, 210,000; Illinois, 224,000; Ohio, 216,000; Pennsylvania, 199,600; New York, 220,000; North Carolina, 228,000. Smaller States, Mississippi, Alabama, South Carolina, West Virginia, Maine, and Massachusetts, have lost somewhere in the vicinity of 50,000 to 150,000 manufacturing jobs.

Mr. Speaker, these are just numbers. These numbers may say, okay, trade policy is not working, that is pretty clear, but put a human face with these numbers. Every time a community, Elyria, Ohio, in my district, when York manufacturing shut down and moved some jobs to other States, most of those jobs to Mexico, 700 families lost their major source of income. Those families were hurt. Those children in those families were hurt. The school district in Elyria was hurt. Police and fire protection in those communities are cut back.

These numbers, whether it is 100,000; 200,000 in Washington State; or 35,000 in Oklahoma; 200,000 in Texas; 72,000 in Florida, these are numbers; but there are human faces with these numbers. Every time a manufacturing plant closes and moves overseas, children are hurt, families are hurt, schools are hurt, communities are hurt. It does not make sense.

In the face of growing bipartisan opposition, the administration and Republican leadership have tried every trick in the book to pass the Central American Free Trade Agreement. First of all, the administration, when they saw the merits of the argument were simply not working with Congress, the American people and this Congress rejected out of hand for the last 12 months, that is why we have not voted on the Central American Free Trade Agreement for a whole year, it is clear they rejected out of hand those arguments that the administration and the largest corporations in our country were making about the Central American Free Trade Agreement.

So what did the administration do? They linked the Central American Free Trade Agreement to fighting the war on terror. They said that if we do not pass the Central American Free Trade Agreement, it would cause problems in fighting the war on terror. Well, that argument, nobody really bought that argument. Republicans and Democrats did not buy it, in part because 10 years of the North American Free Trade Agreement has done nothing to improve border security between the United States and Mexico. That argument simply does not sell.

So the administration tried something else. First their arguments were not working. Then they tried to play the terrorism card, that we need this trade agreement with these six countries in order to fight the war on terror. The next thing they tried was 2 weeks ago the United States Chamber of Commerce, allies of the President on passing this agreement, representing the largest companies in America, the U.S. Chamber of Commerce put together a junket for those presidents to travel to the United States.

Those six presidents, five Central American presidents and the Dominican Republic president flew around the United States hoping to sell CAFTA. Large businesses in the U.S. had not changed the American people's minds.

The President's arguments were not working, so these six presidents traveled to Albuquerque, New York, Los Angeles, Miami, Cincinnati, Ohio in my State. And, finally, they returned to Washington. But again they failed.

The Costa Rican president announced that his country would not ratify CAFTA unless an independent commission could determine that the agreement would not hurt working people in Costa Rica. As these six presidents flew around the country, they did not convince the newspapers, the American public, or Congress. And one of their own said I am not so sure we should ratify this agreement either.

Now the next step is the most powerful Republican in the House, the gentleman from Texas (Mr. DELAY), the House majority leader, joined by the Committee on Ways and Means chairman, the gentleman from California (Mr. THOMAS), said there would be a vote on CAFTA by Memorial Day, which is the 1-year anniversary of the President signing the Central American Free Trade Agreement.

We are barely 1 week away from that 1-year anniversary, and still no vote in sight. I would add that this agreement, unlike every other trade agreement, has been languishing in this Congress. Every other trade agreement sent by President Bush was passed within 60 days. This trade agreement has been 11 months and 20-some days still without a vote because the people of this country, in this Congress, the people's representatives, simply do not buy that our trade policy is working.

Mr. Speaker, look at these numbers. How can you make the argument that trade policy in America is working when we have gone from a \$38 billion to a \$618 billion trade deficit in only 12 years when we have pursued these kinds of NAFTA-like trade policies. Understand, CAFTA rhymes with NAFTA for a reason. CAFTA is very similar to NAFTA. It is the same kind of trade agreement; we will see the same kind of results. It is simply not working.

Last month two dozen Democrats and Republicans in Congress joined more than 150 business groups and labor organizations on the steps of one of the House office buildings saying vote "no" on the Central American Free Trade Agreement. Last week more than 400 workers and Members of Congress gathered again in front of the Capitol saying vote "no" on CAFTA.

Why? It is simple. Because Republicans and Democrats, business and labor groups know what the administration refuses to admit. What the gentlewoman from California (Ms. WATERS) said, CAFTA is about one thing and one thing only: CAFTA is about access to cheap labor. We know that CAFTA is about access to cheap labor simply because Central American countries cannot afford to buy American goods. Let me explain what that means.

About 5 years ago, Mr. Speaker, I flew at my own expense to McAllen,

Texas, rented a car and went across the border to Reynosa, Mexico. I wanted to see the face of globalization. I wanted to see what the North American Free Trade Agreement after 5 or 6 years in effect, what it really meant for our country, what it meant to Mexico, what it meant to our relations, and on the border.

I went to Reynosa, Mexico. I visited a couple who worked at General Electric Mexico, 3 miles from the United States. Their home was a small shack, maybe 20 feet by 15 feet. They lived in a home with no electricity, no running water, with dirt floors. When it rained hard, the dirt floors turned to mud. As I walked around their neighborhood, I saw other shacks that looked a lot like theirs. Amazingly enough, I could tell where the workers worked because their shacks were built, their homes were built out of packing material from the companies for which they worked. Cardboard boxes, crates, wooden platforms, that is how they constructed their roof and walls and their homes.

As I walked around their neighborhood, I saw a ditch behind their home that was maybe 4 feet wide. Who knows what human waste and industrial waste was running through this ditch. Children were playing nearby. The American Medical Association said the area around the U.S.-Mexican border is the most toxic place in the western hemisphere.

We then went to a General Motors plant not far from these workers' homes. The General Motors plant looked just like a General Motors plant in Ohio. It looks just like the Lordstown plant in northeast Ohio. It looked just like a Chrysler plant in Twinsburg. It looked just like a Ford plant in Avon Lake or Lorain, Ohio.

As you walked through this plant, it was modern; the technology was up to date. The floors were clean; the workers were working hard. There was one difference between the plant in Mexico and the plant in Lorain, Ohio. The difference was there was no parking lot at the plant in Mexico. Why? Because Mexican workers were not making enough, 3 miles from the United States, were not making enough to buy the cars that they make, 3 miles from the United States.

You could go halfway around the world to a Motorola plant in Malaysia, the workers were not earning enough to buy the cell phones that they make. You could come halfway back around the world to Costa Rica to a Disney plant, the workers were not earning enough to buy the toys for their children that they were making. You could fly halfway around the world again to the People's Republic of China, to Communist China to a Nike plant, and the workers were not making enough to buy the shoes that they make.

□ 2200

The Central American Free Trade Agreement represents that kind of

trade policy. Nicaraguans, Guatemalans, Hondurans make about one-tenth what Americans make. An American makes about \$38,000 average a year. In many cases, middle-class Americans make enough to buy a car, to buy a home, to send their kids to college, to purchase washing machines and to purchase appliances and to purchase carpet and all the things that they buy. Unfortunately, Guatemalans and Hondurans and Nicaraguans, because their wages are so low, because the global economy is not working for them, they simply cannot afford to make these purchases. So this Central American Free Trade Agreement, it is about sending American jobs to Nicaragua, Guatemala, Honduras, Costa Rica and the Dominican Republic. It is about sending these jobs there where these workers simply are not going to make enough money to buy American products. It is not about those people in those countries purchasing goods made in the United States. We are losing manufacturing jobs. Our overall trade deficit continues to increase. You can bet that Guatemalan workers cannot afford to buy cars made in Ohio. Nicaraguan workers cannot afford to buy steel made in West Virginia. Honduran workers cannot afford to buy software made in Seattle or prime beef cuts from Nebraska or apparel from Georgia or textiles from North Carolina, simply because in these trade agreements we are doing nothing to lift up wages in these six countries. No enforceable labor standards, no enforceable environmental standards, no efforts by the Central American Free Trade Agreement to lift up worker standards so those workers can join the middle class and they can begin to buy American products. These trade agreements are all about shipping jobs overseas, are all about outsourcing labor, are all about American companies and Taiwanese companies and South Korean companies and other countries' companies going to Central America to exploit cheap labor and to exploit those workers. There is a falling minimum wage, the ongoing nightmare of abject poverty for these workers despite back-breaking work and deplorable working conditions.

CAFTA's nations are not only among the poorest countries, they are among the smallest economies. The entire economic output of these six CAFTA countries, five in Central America and the Dominican Republic, the entire combined economic output is \$62 billion. That is equivalent to the economic output of Columbus, Ohio; equivalent to the economic output of Memphis, Tennessee; or equivalent to the economic output of Orlando, Florida.

CAFTA, as I said, it is not about exporting American production or goods, it is not about Americans making things and selling them to Central America, it is about access to cheap labor and exporting American jobs much more than it ever is exporting

U.S. goods. As I said, the average worker in Nicaragua earns \$3,800 a year. That is simply not enough to buy American products and it is not enough to mean any kind of exports from the United States to those countries.

Frankly, the Central American Free Trade Agreement should be called the Central American Free Labor Agreement. That is what it is all about. It is not about trade. It is about outsourcing cheap labor.

I mentioned a minute ago that these presidents from these five Central American countries and the Dominican Republic traveled to the United States on a tour to Albuquerque and Cincinnati and to Los Angeles and to Washington and Miami. With all due respect to the Central American leaders who toured our Nation 2 weeks ago, and we should welcome them, what they did not say and what millions of us know already as they campaigned for this agreement is that millions of their workers in addition to tens of millions of American workers simply do not like this trade agreement. What they did not tell reporters is that more than 8,000 Guatemalan workers protested against CAFTA in March. Two of them were killed by government security forces. They did not tell us that tens of thousands of El Salvadorans protested CAFTA 2 years ago. They did not tell us about 18,000 letters sent last year to the Honduran congress by Honduran workers that decried this dysfunctional cousin of the North American Free Trade Agreement. They did not tell us about the 10,000 people in Nicaragua who protested CAFTA in 2003. They did not tell us about the 30,000 CAFTA protesters this past fall in Costa Rica. They did not tell us that literally hundreds of thousands of workers have protested the Central American Free Trade Agreement, workers in Central America, in more than 45 demonstrations in the last 3 years.

Trade pacts like NAFTA and CAFTA enable companies to exploit cheap labor, then import those products back to the United States. I repeat, that is what these trade agreements are about. They are about shutting down American factories, moving these factories to Central America as they did to Mexico, exploiting workers, paying them barely a livable wage let alone a living wage, paying them barely a livable wage, then sending products back into the United States. As a result, America is bleeding manufacturing jobs and running unprecedented trade deficits.

Again, look at the trade deficit, from \$38 billion to \$618 billion in a dozen years. President Bush, Sr., back in 1992 when we had a trade deficit of \$38 billion, he said, \$1 billion in trade deficit translates into 12,000 lost jobs. So if you have a trade surplus of \$1 billion, you increase 12,000 jobs. If you have a deficit of \$1 billion, you lose 12,000 jobs. Multiply that by \$618 billion and you see the kind of job loss, perhaps as much as 7 million jobs lost because of

our manufacturing and trade policy in this country.

What we are seeing, Mr. Speaker, is America is bleeding with our trade deficit, and bleeding manufacturing jobs from our country. Again, all these States in red in the last 5 years have lost more than 20 percent of their manufacturing jobs. All the States in blue have lost at least 15 percent of their manufacturing jobs. Basically every large State, every single large State in this country: California, Texas, Florida, North Carolina, Georgia, Ohio, Pennsylvania, New York, Michigan, Illinois, Wisconsin, Minnesota. Every single large State has lost at least 15 percent, one out of six manufacturing jobs in this country in the last 5 years. Again, those manufacturing jobs, losing those jobs, they are not just numbers. They are about families, they are about children, they are about schools and they are about communities and police and fire and making our communities prosperous. Gregory Mankiw, the President's former Chief Economist, portrayed the exporting of jobs as inevitable and desirable. He said, "When a good or service is produced more cheaply abroad, it makes more sense to import it than to provide it domestically."

Unfortunately, that is the attitude of the administration. That is the attitude of people who have written this trade policy that have led to these kinds of manufacturing job losses and have led to these kinds of trade deficits and that is the attitude of people who are pushing the Central American Free Trade Agreement.

What really instead, Mr. Speaker, makes sense is a trade policy that lifts workers up in rich countries like ours, in poor countries like Costa Rica and Honduras and Guatemala and the Dominican Republic and Nicaragua, while respecting human rights and democratic principles. The United States with its unrivaled purchasing power, the greatest in history, and its enormous economic clout, again the greatest in history, we as a Nation are in a unique position to help empower poor workers in developing countries while promoting prosperity at home.

When the world's poorest people can buy American products rather than just make them, then we will know, Mr. Speaker, finally that our trade policies are working.

OMISSION FROM THE CONGRESSIONAL RECORD OF WEDNESDAY, MAY 18, 2005 AT PAGE H3462

Mr. COX. Mr. Chairman, I yield to the gentleman from Mississippi for purposes of closing debate.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield myself such time as I may consume.

We have heard a number of statements about this bill. It is an initial step in the right direction. It is not comprehensive. There are some glaring overlooks in the bill. We do not address

any aviation security, we do not address chemical security. There are a number of things that we could do better in this bill.

However, I have to join my chairman in recognizing the fact that this is our first attempt to do an authorization bill. It is by no means complete, but given his leadership and willingness to work in a bipartisan spirit, I am looking forward to moving this legislation and making sure that we do the right thing for this country. We have to secure this Nation.

I will be offering a substitute later in the debate which obviously will cover far more areas than what this authorization bill covers that we are debating here today.

Clearly, if we support the substitute, we can move closer to making America secure.

Mr. Chairman, I yield back the balance of my time.

Mr. COX. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to begin by thanking the gentleman from Mississippi (Mr. THOMPSON), both for his generous remarks but, more importantly, for his hard work on this piece of legislation over a period of several months and, as he pointed out, through ultimately a very long, arduous markup in the committee where members on both sides had an unlimited opportunity to offer amendments and consider a variety of topics.

As we conclude general debate and prepare to move into debate on the specific amendments on this bill, I think we can recognize one important fact, and that is that we are all agreed on the essence of the underlying bill. We have some things, each of us, that we might like to add to this bill, and I predict that in due course, over the rest of this year, we will have an opportunity again on this House floor to take up issues, including aviation security, chemical security, port security, and so on.

But the entirety of what we do accomplish in this bill is bipartisan in nature and agreed upon by the members on both sides of the aisle, at least in the Committee on Homeland Security, and we will soon see about the House as a whole. That is because we have allocated the \$32 billion, for what is now the third largest Cabinet department, in a way that demonstrably advances our number one goal of preventing terrorism in the future on American soil, directed against American citizens, protecting America's most critical infrastructure against terrorist attack, and being prepared to respond and recover should, against all our best preparations, that ever occur in the future.

In order to bring us to this point, we have had to have a great deal of bipartisan assistance, all motivated by the best interests of the country from Members on both sides.

I specifically want to mention the vice chairman of the full committee,

the gentleman from Pennsylvania (Mr. WELDON); the chairmen and ranking members of our five subcommittees, and the Staff Directors on both sides, Ben Cohen on the Majority side and Calvin Humphreys on the minority side. The staffs have done extraordinary professional work, and their staffs are drawn from, in many cases, the executive branch, with experience about precisely the work and the programs that we are overseeing in this legislation. Many of them have come from the intelligence community, others come from the Coast Guard and other branches of the armed services.

We can be very proud in this House about the institutionalization of the role of homeland security oversight and authorization that has been set in motion as a result of a decision of leadership on both sides, and I want to conclude by taking this opportunity, once again, to thank the House leadership for its very wise decision to create permanent authorizing and oversight responsibility in this Congress on an institutionalized basis, and then, today, taking the next important step of institutionalizing an annual authorization process so that together the legislative branch and the executive branch will closely collaborate on what is the essence of our national security responsibility to all Americans: making sure that we are safe and secure on American territory for the American citizens.

So, Mr. Chairman, with that, I will draw this general debate to a conclusion, and I look forward to working with the body on the several amendments that have been made in order under the rule.

Mr. Chairman, I will at this time introduce into the RECORD a series of letters exchanged between the Committee on Homeland Security and other standing committees, including the Permanent Select Committee on Intelligence of the House of Representatives, concerning jurisdictional issues raised by this legislation.

COMMITTEE ON GOVERNMENT REFORM,

Washington, DC, May 18, 2005.

Hon. CHRISTOPHER COX,
Chairman, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your willingness to consult and work with me as you guided H.R. 1817, "the Department of Homeland Security Authorization Act for Fiscal Year 2006" from introduction, through the Homeland Security Committee, and to the floor. As you know, the Committee on Government Reform has been interested in a number of provisions within H.R. 1817. The Committee has been concerned that the expansion of the Department's responsibilities for information sharing in Title II, Subtitle B, Homeland Security Information Sharing and Analysis Enhancement, not lessen the Department's responsibility to follow government-wide policies and procedures for the sharing of information. In addition to the information sharing provisions of Subtitle B, the Committee has specific jurisdictional interests in the following provisions of your substitute: §201—Consolidated Background Check Process; §216—Coordination of homeland security threat analysis provided to

non-Federal officials; §217—9/11 Homeland Security Fellows Program; §221—IAIP Personnel Recruitment; §302—Technology Development and Transfer; §303—Review of Antiterrorism Activities; Title III, Subtitle B—Department of Homeland Security Cybersecurity Enhancement; §334—Protection of Information; and §502—GAO Report to Congress.

I would like to confirm our mutual understanding with respect to the consideration of H.R. 1817. As you know, H.R. 1817 was sequentially referred to the Committee on Government Reform. Because of your willingness to work with us to resolve issues of concern to the Committee and to include those improvements to the bill in your amendment in the nature of a substitute on the floor, the Committee on Government Reform did not consider H.R. 1817. However, the Committee has done so only with the understanding that this procedural route would not prejudice the Committee on Government Reform's jurisdictional interest and prerogatives on this bill or similar legislation.

I respectfully request your support for the appointment of outside conferees from the Committee on Government Reform should this bill or a similar Senate bill be considered in conference with the Senate. Finally, I would ask that you include a copy of our exchange of letters on this matter in the Congressional Record during the House debate of this bill. If you have questions regarding this matter, please do not hesitate to call me. Thank you for your attention to this matter.

Sincerely,

TOM DAVIS,
Chairman.

COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 18, 2005.

Hon. TOM DAVIS,
Chairman, Committee on Government Reform,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Committee on Government Reform's jurisdictional interest in H.R. 1817, "the Department of Homeland Security Authorization Act for Fiscal Year 2006", and your willingness to forego consideration of H.R. 1817 by the Committee.

I agree that the Committee on Government Reform has a valid jurisdictional interest in particular sections of H.R. 1817, and that the committee's jurisdiction with respect to those provisions will not be adversely affected by the Committee's decision to not consider H.R. 1817. In addition, I agree that for provisions of the bill that are determined to be within the jurisdiction of the Committee on Government Reform, I will support representation for your Committee during conference with the Senate on this or similar legislation, should such a conference be convened.

As you have requested, I will include a copy of your letter and this response in the Congressional Record during consideration of the legislation on the House floor. Thank

you for your assistance as we work towards the enactment of H.R. 1817.

Sincerely,

CHRISTOPHER COX,
Chairman.

COMMITTEE ON AGRICULTURE,
Washington, DC, May 2, 2005.

Hon. CHRISTOPHER COX,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR CHAIRMAN COX: On April 27, 2005, the Committee on Homeland Security ordered reported a committee print titled the, "Department of Homeland Security Authorization Act for Fiscal Year 2006." Section 309 of the bill, which provides for a report to Congress on protecting agriculture from terrorist attack, falls within the jurisdiction of the Committee on Agriculture. Recognizing your interest in bringing this legislation before the House quickly, the Committee on Agriculture agrees not to seek a sequential referral of the bill. By agreeing not to seek a sequential referral, the Committee does not waive its jurisdiction over this provision or any other provisions of the bill that may fall within its jurisdiction. The Committee also reserves its right to seek conferees on any provisions within its jurisdiction considered in the House-Senate conference, and asks for your support in being accorded such conferees.

Please include this letter as part of the report on the Department of Homeland Security Act for Fiscal Year 2006, or as part of the Congressional Record during consideration of this bill by the House.

Sincerely,

BOB GOODLATTE,
Chairman.

COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 16, 2005.

Hon. BOB GOODLATTE,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the Agriculture Committee's jurisdictional interest in section 309 of the "Department of Homeland Security Authorization Act for Fiscal Year 2006." I appreciate your willingness not to seek a sequential referral in order to expedite proceedings on this legislation. I agree that, by not exercising your right to request a referral, the Agriculture Committee does not waive any jurisdiction it may have over section 309. In addition, I agree to support representation for your Committee during the House-Senate conference on provisions determined to be within your Committee's jurisdiction.

As you have requested, I will include a copy of your letter and this response as part of the Committee on Homeland Security's report or the Congressional Record during consideration of the legislation on the House floor. Thank you for your cooperation as we work towards the enactment of the "Depart-

ment of Homeland Security Authorization Act for Fiscal Year 2006."

Sincerely,

CHRISTOPHER COX,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 13, 2005.

Hon. CHRISTOPHER COX,
Chairman, Committee on Homeland Security,
Adams Building, Washington, DC.

DEAR CHAIRMAN COX: I am writing concerning H.R. 1817, the "Department of Homeland Security Authorization Act for Fiscal Year 2006," which the Committee on Homeland Security reported on May 3, 2005. Subsequently, the Committee on Ways and Means received a joint, sequential referral on the bill for a period not ending later than May 13, 2005.

As you know, the Committee on Ways and Means has jurisdiction over trade and customs revenue functions. A range of provisions in H.R. 1817 affects the Committee's jurisdiction, including: authorization language for the Department of Homeland Security, a required review of trade documents that accompany crossborder shipments, a required plan to reduce disparities in customs processing at major airports, a requirement that certain recommendations of a commercial advisory committee representing the trade community be embodied in new regulations, a requirement of a study of the potential merger of the Department of Homeland Security bureau implementing most customs revenue functions with the bureau charged with immigration enforcement, and authorization of a program that would merge security and customs revenue inspection equipment and requirements.

I am pleased to acknowledge the agreement, outlined in the attached chart, between our Committees to address various issues, including changes you will include in the Manager's Amendment to the bill. Thus, in order to expedite this legislation for floor consideration, the Ways and Means Committee agrees to forgo action on this bill based on the agreement reached by our Committees and that no other provisions affecting the jurisdiction of the Ways and Means Committee are included in the Manager's Amendment. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation. In addition, I would appreciate if you would share with my staff copies of the amendments when they are made available to the Homeland Security Committee staff.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1817, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Best regards,

BILL THOMAS,
Chairman.

Attachment.

WAYS AND MEANS AMENDMENTS AND LEGISLATIVE HISTORY RELATED TO HOMELAND SECURITY AUTHORIZATION BILL

Issue	HSC and W&M agreed changes
Sec. 103—CBP Authorization (includes amount in Customs Reauthorization bill passed by the House in 2004, along with additions identified by W&M and HSC).	Insert CBP Authorization number—\$6,926,424,722 in the Manager's Amendment. Number may be adjusted, but any change would be fully cleared between HSC and Ways and Means.
Sec. 201(b)—Annual cross-cutting analysis of proposed funding for DHS programs.	Delete 201 (b)(1)(D) and replace with "(1)(D) To facilitate trade and commerce;" Add 201 (b)(1)(E)—"To carry out other important functions of the agencies and subdivisions within the Department not specifically noted above."
Sec. 201(b)—Annual cross-cutting analysis of proposed funding for DHS programs.	Under 201 (b)(2)—Delete the following language: "for functions that are both related directly and not related directly to homeland security" and add: "for functions that would address more than one of the mission areas listed in (b)(1)(A) through (E) of this subsection."
Sec. 306—Security of Maritime Cargo Containers (Sanchez Amendment)	Rewrite 201(b)(3)(F) to state "(F) Screening cargo to identify and segregate shipments at high risk for compromise by terrorists or terrorist weapons," rather than "screening cargo to identify and segregate high-risk shipments."
	Amend Sec. 306(a) to read: "(a) STANDARDS AND REGULATIONS—"

WAYS AND MEANS AMENDMENTS AND LEGISLATIVE HISTORY RELATED TO HOMELAND SECURITY AUTHORIZATION BILL—Continued

Issue

HSC and W&M agreed changes

	(1) STANDARDS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish standards and procedures for securing maritime cargo containers relating to obligation to seal, recording of seal changes, modal changes, seal placement, ocean carrier seal verification, and addressing seal anomalies. These standards shall include the standards for seals and locks as required under paragraph (3) of subsection (b) of section 70116 of Title 46 U.S.C.
	(2) REGULATIONS.—No later than 90 days after completion of the requirements in subsection (a), the Secretary of Homeland Security shall issue regulations for the security of maritime cargo containers consistent with the standards developed in subsection (a)."
	Amend Sec. 306(b) to read: "(b) INTERNATIONAL AGREEMENTS.—The Secretary, in consultation with the Department of State, Department of Commerce, Department of the Treasury, Office of the United States Trade Representative, and other appropriate Federal agencies, shall seek to enter into agreements with foreign countries and international organizations to establish standards for the security of maritime cargo containers moving within the intermodal transportation system that, to the maximum extent practicable, meet the requirements of subsection (a)."
	Amend Sec. 306(c) to read "(c) CONTAINER TARGETING STRATEGY.—STRATEGY.—The Secretary shall develop a strategy to improve the ability of the Department of Homeland Security to use advance cargo information to identify anomalies in such information to determine whether such cargo poses a security risk. The strategy shall include a method of contacting shippers to verify or explain any anomalies discovered in such information."
	Will include acknowledgement in legislative history that "It is intended that the advance cargo information referred to in Section 306(c) should be provided to the government by the party that has the most direct knowledge of that information consistent with Public Law 107–210 Section 343(a)(3)(B)."
	Amend Section 306(d) to read: "(d) CONTAINER SECURITY DEMONSTRATION PROGRAM.—(1) PROGRAM.—The Secretary is authorized to establish and carry out a demonstration program that integrates radiation detection equipment with other types of non-intrusive inspection equipment at an appropriate United States seaport, as determined by the Secretary.
	(2) REQUIREMENT.—The demonstration program shall also evaluate ways to strengthen the capability of Department of Homeland Security personnel to analyze cargo inspection data and ways to improve the transmission of inspection data between appropriate entities within the Department of Homeland Security."
	Amend Section 306(e) to read: "(e) COORDINATION AND CONSOLIDATION OF CONTAINER SECURITY PROGRAMS.—The Secretary shall coordinate all programs that enhance the security of maritime cargo, and, to the extent practicable, consolidate Operation Safe Commerce, the Smart Box Initiative, and similar programs that evaluate security enhancements for maritime cargo containers, to achieve enhanced coordination and efficiency. The Secretary shall report to the appropriate Congressional committees before consolidating any program mentioned in this subsection."
	Add new Sec. New Section 306(f): "DEFINITION.—In this section, the term 'appropriate congressional committees' means appropriate Congressional Committees as defined in the Homeland Security Act of 2002."
Sec. 401—Study by Sec. of DHS on Organization of DHS	Section 401(b)(1)—delete "to the Committee on Homeland Security of the House of DHS on Organization of Representatives and the Committee on Homeland Security and Government Affairs of the Senate" and replace with "to the appropriate Congressional Committees as defined in the Homeland Security Act of 2002."
Section 402—GAO Report on DHS Organization	Insert at the end of this section: "The report shall be submitted to the appropriate Congressional committees as defined in the Homeland Security Act of 2002."
Sec. 403—Plan for Establishing Consolidated and Colocated Regional Offices ..	If Sec. 403, or a similar provision is included in the bill, amend that section by adding at the end of the section: "In developing the plan, the Secretary shall ensure that the plan does not compromise the uniform and consistent implementation and application of laws, policies and procedures related to customs processing operations."
Sec. 404—Plan to Reduce Wait Times	Amend Sec. 404(2) to include "passenger" following "customs".
Ways and Means Customs Bill	In addition to the authorization for CBP, include all other Customs sections of HR 4418 as passed by the House that were not already enacted as part of other laws—Secs. 102, 104, 124, and 125.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 13, 2005.

Hon. WILLIAM THOMAS,
Chairman, Committee on Ways and Means,
Longworth House Office Building, Wash-
ington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the Ways and Means Committee's jurisdictional interest in H.R. 1817, the "Department of Homeland Security Authorization Act for Fiscal Year 2006." I appreciate your willingness to forgo action on this bill, in order to expedite this legislation for floor consideration. I agree that, by forgoing further action on the bill, the Committee on Ways and Means does not waive any jurisdiction it has over provisions within H.R. 1817 and the Manager's amendment. This is being done with the understanding that it does not in any way prejudice the Ways and Means Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation. We will also share with you copies of any amendments as they are made available to us.

As you have requested, I will include a copy of your letter and this response as part of the Congressional Record during consideration of the legislation on the House floor. Thank you for your cooperation as we work towards the enactment of H.R. 1817.

Sincerely,

CHRISTOPHER COX,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 2, 2005.

Hon. CHRISTOPHER COX,
Chairman, Committee on Homeland Security,
House of Representatives, Adams Building,
Library of Congress, Washington, DC.

DEAR MR. CHAIRMAN: On April 27, 2005, the Committee on Homeland Security ordered reported a committee print, the "Department of Homeland Security Authorization Act for Fiscal Year 2006." This bill contains provisions that fall within the jurisdiction of the Committee on Armed Services, including: section 222 (relating to information collection requirements and priorities) and section 302(b) (establishing a working group re-

lating to military technology). Recognizing your interest in bringing this legislation before the House quickly, the Committee on Armed Services agrees not to seek a sequential referral of the bill. By agreeing not to seek a sequential referral, the Committee does not waive its jurisdiction over these provisions or any other provisions of the bill that may fall within its jurisdiction. The Committee also reserves its right to seek conferees on any provisions within its jurisdiction considered in the House-Senate conference, and asks for your support in being accorded such conferees.

Please include this letter as part of the report, if any, on the Department of Homeland Security Act for Fiscal Year 2006 or as part of the Congressional Record during consideration of this bill by the House.

Sincerely,

DUNCAN HUNTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 2, 2005.

Hon. DUNCAN HUNTER,
Chairman, Committee on Armed Services,
Rayburn House Office Building, Washington,
DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the Armed Services Committee's jurisdictional interest in Section 222 and the working group on transfer of military technologies established under Section 302(b) of the "Department of Homeland Security Authorization Act for Fiscal Year 2006." I appreciate your willingness not to seek a sequential referral in order to expedite proceedings on this legislation. I agree that, by not exercising your right to request a referral, the Armed Services Committee does not waive any jurisdiction it may have over the relevant provisions of Sections 222 and 302(b). In addition, I agree to support representation for your Committee during the House-Senate conference on any provisions determined to be within your Committee's jurisdiction.

As you have requested, I will include a copy of your letter and this response as part of the Committee on Homeland Security's report and the Congressional Record during consideration of the legislation on the House

floor. Thank you for your cooperation as we work towards the enactment of the "Department of Homeland Security Authorization Act for Fiscal Year 2006."

Sincerely,

CHRISTOPHER COX,
Chairman.

HOUSE OF REPRESENTATIVES, PER-
MANENT SELECT COMMITTEE ON IN-
TELLIGENCE,

Washington, DC, May 16, 2005.

Hon. CHRISTOPHER COX,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In recognition of the importance of expediting the passage of H.R. 1817, the "Department of Homeland Security Authorization Act for Fiscal Year 2006," the Permanent Select Committee on Intelligence hereby waives further consideration of the bill. The Committee has jurisdictional interests in H.R. 1817, including but not limited to intelligence activities within the Department of Homeland Security authorized within the National Intelligence Program.

The Committee takes this action only with the understanding that this procedural route should not be construed to prejudice the House Permanent Select Committee on Intelligence's jurisdictional interest over this bill or any similar bill and will not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future. In addition, the Permanent Select Committee on Intelligence reserves the possibility of seeking conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the Congressional Record during the House debate on H.R. 1817. I appreciate the constructive work between our committees on this matter and thank you for your consideration.

Sincerely,

PETER HOEKSTRA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 16, 2005.

Hon. PETER HOEKSTRA,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the Intelligence Committee's jurisdictional interest in H.R. 1817, the "The Department of Homeland Security Authorization Act for Fiscal Year 2006." I appreciate your willingness to waive further consideration of the bill in order to expedite this legislation for floor consideration: I agree that by waiving further consideration, the Intelligence Committee does not waive any jurisdiction it may have over provisions of the bill, including those relating to intelligence activities of the Department of Homeland Security authorized within the National Intelligence Program.

As you have requested, I will include a copy of your letter and this response as part of the Congressional Record during consideration of the legislation on the House floor. Thank you for your cooperation as we work towards the enactment of H.R. 1817.

Sincerely,

CHRISTOPHER COX,
Chairman

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON-LEE of Texas (at the request of Ms. PELOSI) for today on account of a family medical emergency.

Mr. LATOURETTE (at the request of Mr. DELAY) for today and the balance of the week on account of a family emergency.

Mr. RYAN of Wisconsin (at the request of Mr. DELAY) for today until 4:30 p.m. on account of traveling with the President.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHIFF) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.
Mr. SCHIFF, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. EMANUEL, for 5 minutes, today.
Mr. CUMMINGS, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Mr. PRICE of North Carolina, for 5 minutes, today.

Mr. ETHERIDGE, for 5 minutes, today.
Mr. MILLER of North Carolina, for 5 minutes, today.

Mr. MCINTYRE, for 5 minutes, today.
Mr. WATT, for 5 minutes, today.
Mr. BUTTERFIELD, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.
Mr. TAYLOR of Mississippi, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, May 26.

Mr. WELDON of Florida, for 5 minutes, May 23.

Mr. DUNCAN, for 5 minutes, today.
Mr. JONES of North Carolina, for 5 minutes, May 26.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. GINGREY, for 5 minutes, today.
Ms. WATERS, for 5 minutes, today.

ADJOURNMENT

Mr. BROWN of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, May 23, 2005, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2017. A letter from the Director, Office of Management and Budget, transmitting a report entitled "Major Savings and Reforms in the President's 2006 Budget"; to the Committee on Appropriations.

2018. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Richard V. Reynolds, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2019. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Brian A. Arnold, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2020. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

2021. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

2022. A letter from the Secretary of the Army, Department of Defense, transmitting notification of the Army's determination that reportable increases have occurred in the Program Acquisition Unit Cost (PAUC) for the Chemical Demilitarization (CHEM DEMIL) Program; to the Committee on Armed Services.

2023. A letter from the Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting a report on the proposed test and evaluation (T&E) budgets that are not certified by the Director of the Defense Test Resource Management Center (TRMC) to be adequate for FY 2006, pursuant to 10 U.S.C. 196 Public Law 107-314, section 232; to the Committee on Armed Services.

2024. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting a report describing the Department's corrosion prevention control and mitigation efforts and planned improvements, as requested by the House of Representatives Report of the Committee on Appropriations on the Department of Defense Appropriations Bill for FY 2005, Pub. L. 108-553 (H.R. 4613); to the Committee on Armed Services.

2025. A letter from the Chair, Foreign Exchange Committee, transmitting the Committee's 2004 Annual Report; to the Committee on Financial Services.

2026. A letter from the Chief Financial Officer, Department of Education, transmitting the full-color version of the Department's Fiscal Year 2004 Performance and Accountability Report; to the Committee on Education and the Workforce.

2027. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled "Performance Improvement 2005: Evaluation Activities of the U.S. Department of Health and Human Services," pursuant to Section 241(b) of the Public Health Service (PHS) Act, as amended by the Preventive Health Amendments of 1993, summarizing the findings of the evaluations of PHS programs authorized under Section 241(a); to the Committee on Energy and Commerce.

2028. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Pakistan for defense articles and services (Transmittal No. 05-18), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2029. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Pakistan for defense articles and services (Transmittal No. 05-19), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2030. A letter from the Secretary, Department of State, transmitting a copy of the Department's "Country Reports on Terrorism: 2004," pursuant to 22 U.S.C. 2656f; to the Committee on International Relations.

2031. A letter from the Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting a report on economic conditions in Egypt 2004, pursuant to 22 U.S.C. 2346 note; to the Committee on International Relations.

2032. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on International Relations.

2033. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of the Department's intent to obligate Non-proliferation and Disarmament Fund (NDF) assistance for additional projects, pursuant to Public Law 108-447, section 515; to the Committee on International Relations.

2034. A letter from the Chairman, Christopher Columbus Fellowship Foundation, transmitting pursuant to the Accountability of Tax Dollars Act, the Foundation's Form and Content Reports for the second quarter of FY 2005 as prepared by the U.S. General Services Administration; to the Committee on Government Reform.

2035. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's report entitled, "Federal Student Loan Repayment Program FY 2004," pursuant to 5 U.S.C. 5379(a)(1)(B) Public Law 106-398, section 1122; to the Committee on Government Reform.

2036. A letter from the Secretary, Department of the Interior, transmitting the annual report entitled, "Outer Continental Shelf Lease Sales: Evaluation of Bidding Results," for Fiscal Year 2004, pursuant to 43 U.S.C. 1337(a)(9); to the Committee on Resources.

2037. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Establishment of an Additional Manatee Protection Area in Lee County, Florida (RIN: 1018-AT65) received April 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2038. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 041126333-5040-02; I.D. 050305C] received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2039. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Recordkeeping and Reporting Requirements; Regulatory Amendment to Modify Seafood Dealer Reporting Requirements [Docket No. 050216041-5105-02; I.D. 020705C] (RIN: 0648-AS87) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2040. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 041126333-5040-02; I.D. 042105C] received May 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2041. A letter from the Office of Protected Resources, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking of Marine Mammals Incidental to Commercial Fishing Operations; Tuna Purse Seine Vessels in the Eastern Tropical Pacific Ocean (ETP) received April 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2042. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off Western Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Specifications and Management Measures; Inseason Adjustments; Pacific Halibut Fisheries; Corrections [Docket No. 040830250-5062-03; I.D. 042205C] received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2043. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No. 041110317-4364-02; I.D. 041805C] received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2044. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the Quarter II Fishery for Loligo Squid [Docket No. 041221358-5065-02; I.D. 042005B] received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2045. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock Sole/Flathead Sole/"Other Flatfish" Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 041126332-5039-02; I.D. 042105B] received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2046. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fishery Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Specifications and Management Measures; Inseason Adjustments; Corrections [Docket No. 040830250-5062-03; I.D. 032205B] received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2047. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting a reevaluation of the report of the Army Corps of Engineers, dated December 30, 2003, describing a viable alternative to a system of groins for providing shoreline erosion control as a storm damage reduction measure for the Silver Strand shoreline at Imperial Beach, California, originally authorized by Section 101 of the Rivers and Harbors Act of 1958; to the Committee on Transportation and Infrastructure.

2048. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting a reevaluation of a study to determine the feasibility of modifying the authorized Hamilton Airfield, California project to include adjacent properties on San Pablo Bay, Marin County, California; to the Committee on Transportation and Infrastructure.

2049. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company (GE) CF6-45 and CF6-50 Series Turbofan Engines [Docket No. FAA-2005-20932; Directorate Identifier 2005-NE-11-AD; Amendment 39-14056; AD 2005-08-04] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2050. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes [Docket No. FAA-2004-19766; Directorate Identifier 2002-NM-161-AD; Amendment 39-14057; AD 2005-08-05] received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2051. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-200B, -200C, -200F, and -400F Series Airplanes [Docket No. FAA-2005-20136; Directorate Identifier 2004-NM-185-AD; Amendment 39-14061; AD 2005-08-09] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2052. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-600, -700, and -800 Series Airplanes [Docket No. FAA-2004-19810; Directorate Identifier 2004-NM-119-AD; Amendment 39-14062; AD 2005-08-10] received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2053. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB SF 340A and SAAB 340B Series Airplanes [Docket No. 2003-NM-278-AD; Amendment 39-14063; AD 2005-08-11] received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2054. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aviointeriors S.p.A. Series 312 Seats [Docket No. 2000-NE-09-AD; Amendment 39-14052; AD 2005-07-27] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2055. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-100, -100B, 100B SUD, -200B, -200C, -200F, and -300 Series Airplanes; and Model 747SP and 747SR Series Airplanes [Docket No. FAA-2005-20915; Directorate Identifier 2005-NM-042-AD; Amendment 39-14053; AD 2005-08-01] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2056. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dassault Model Falcon 10 Series Airplanes [Docket No. FAA-2005-20884; Directorate Identifier 2005-NM-051-AD; Amendment 39-14048; AD 2005-07-23] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2057. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777-200 and -300 Series Airplanes Equipped with Rolls Royce Model RB211 TRENT 800 Engines [Docket No. FAA-2005-20885; Directorate Identifier 2005-NM-050-AD; Amendment 39-14049; AD 2005-07-24] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2058. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes; Model A300 B4-600, A300 B4-600R, A300 C4-605R Variant F, and A300 F4-600R (Collectively Called A300-600) Series Airplanes [Docket No. FAA-2004-19227; Directorate Identifier 2003-NM-95-AD; Amendment 39-14050; AD 2005-07-25] (RIN: 2120-AA64) received May 13, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2059. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes [Docket No. FAA-2005-20244; Directorate Identifier 2004-NM-204-AD; Amendment 39-14051; AD 2005-07-26] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2060. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CENTRAIR 101 Series Gliders [Docket No. FAA-2004-19616; Directorate Identifier 2004-CE-38-AD; Amendment 39-14058; AD 2005-08-06] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2061. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model BAe 146 and Model Avro 146-RJ Series Airplanes [Docket No. FAA-2004-19757; Directorate Identifier 2001-NM-273-AD; Amendment 39-14024; AD 2005-06-14] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2062. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Model 680 Airplanes [Docket No. FAA-2005-20916; Directorate Identifier 2005-NM-027-AD; Amendment 39-14055; AD 2005-08-03] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2063. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and -145 Series Airplanes [Docket No. FAA-2004-19176; Directorate Identifier 2003-NM-36-AD; Amendment 39-14054; AD 2005-08-02] (RIN: 2120-AA64) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2064. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Implementation of the Medicare Prescription Drug Benefit," pursuant to Public Law 108-173, section 1860-42(d); jointly to the Committees on Energy and Commerce and Ways and Means.

2065. A letter from the Secretary, Department of Health and Human Services, transmitting a report that "makes recommendations regarding methods of providing benefits under . . . Part D . . . for outpatient prescription drugs for which benefits are provided under Part B," pursuant to Public Law 108-173, section 1860D-42(c); jointly to the Committees on Energy and Commerce and Ways and Means.

2066. A letter from the Chief Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting the Commission's 2004 Annual Report on operations under the War Claims Act of 1948, as amended, pursuant to 50 U.S.C. app. 2008 and 22 U.S.C. 1622a; jointly to the Committees on International Relations and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BUYER: Committee on Veterans' Affairs. H.R. 2046. A bill to amend the Servicemembers Civil Relief Act to limit premium increases on reinstated health insurance on servicemembers who are released from active military service, and for other purposes; with an amendment (Rept. 109-88). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SHAW:

H.R. 2473. A bill to amend the Tariff Act of 1930 relating to determining the all-others rate in antidumping cases; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina (for himself, Mr. BROWN of South Carolina, Mr. MILLER of Florida, Mr. NORWOOD, Mr. FOLEY, and Ms. ROSELEHTINEN):

H.R. 2474. A bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable personal credit to individuals who donate certain life-saving organs; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEKSTRA:

H.R. 2475. A bill to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. ABERCROMBIE:

H.R. 2476. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale of certain residential leased-fee interests to holders of the leasehold rights; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 2477. A bill to suspend temporarily the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 2478. A bill to suspend temporarily the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 2479. A bill to suspend temporarily the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 2480. A bill to suspend temporarily the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 2481. A bill to suspend temporarily the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 2482. A bill to suspend temporarily the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 2483. A bill to suspend temporarily the duty on certain bicycle parts; to the Committee on Ways and Means.

By Mr. BLUNT (for himself, Mr. KIRK,

Mr. SIMMONS, Mr. HAYES, Mr. CANTOR, Mr. GERLACH, Mr. GRAVES, Mr. LARSEN of Washington, Mr. MILLER of Florida, Mr. BRADY of Texas, Mr. SODREL, and Mr. REICHERT):

H.R. 2484. A bill to improve benefits for members of the National Guard and Reserve to recognize their service to the United States and to encourage the recruitment and retention of National Guard and Reserve personnel, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURTON of Indiana (for himself and Mr. PALLONE):

H.R. 2485. A bill to ensure that the goals of the Dietary Supplement Health and Education Act of 1994 are met by authorizing appropriations to fully enforce and implement such Act and the amendments made by such Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURTON of Indiana (for himself, Mr. PALLONE, Mr. PAUL, Mr. TERRY, and Mr. GERLACH):

H.R. 2486. A bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for foods for special dietary use, dietary supplements, or medical foods shall be treated as medical expenses; to the Committee on Ways and Means.

By Mr. CARDIN:

H.R. 2487. A bill to amend title XVIII of the Social Security Act, as amended by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to provide additional beneficiary protections; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN:

H.R. 2488. A bill to promote State historic tax credits; to the Committee on Ways and Means.

By Mr. COOPER (for himself, Mr. SHAYS, and Mr. VAN HOLLEN):

H.R. 2489. A bill to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes; to the Committee on Government Reform.

By Mr. DENT (for himself, Mr. BRADY

of Pennsylvania, Mr. FATTAH, Mr. ENGLISH of Pennsylvania, Ms. HART, Mr. PETERSON of Pennsylvania, Mr. GERLACH, Mr. WELDON of Pennsylvania, Mr. FITZPATRICK of Pennsylvania, Mr. SHUSTER, Mr. SHERWOOD, Mr. KANJORSKI, Mr. MURTHA, Ms. SCHWARTZ of Pennsylvania, Mr. DOYLE, Mr. PITTS, Mr. HOLDEN, Mr. MURPHY, and Mr. PLATTS):

H.R. 2490. A bill to designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the "Mayor Joseph S. Daddona Memorial Post Office"; to the Committee on Government Reform.

By Mr. GILLMOR (for himself, Mr. ROGERS of Michigan, Mr. DINGELL, Mr. STUPAK, and Mr. UPTON):

H.R. 2491. A bill to amend the Solid Waste Disposal Act to authorize States to restrict receipt of foreign municipal solid waste and implement the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HAYES:

H.R. 2492. A bill to extend the temporary suspension of duty on Crotonic Acid; to the Committee on Ways and Means.

By Mr. HAYES:

H.R. 2493. A bill to suspend temporarily the duty on Glyoxylic Acid 50 %; to the Committee on Ways and Means.

By Mr. HAYES:

H.R. 2494. A bill to suspend temporarily the duty on Chloroacetic acid, ethyl ester; to the Committee on Ways and Means.

By Mr. HAYES:

H.R. 2495. A bill to suspend temporarily the duty on Chloroacetic Acid, Sodium Salt; to the Committee on Ways and Means.

By Mr. HAYES:

H.R. 2496. A bill to extend the temporary suspension of duty on 3,6,9-Trioxaundecanedioic acid; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 2497. A bill to extend the temporary suspension of duty on Acetamidrid Technical; to the Committee on Ways and Means.

By Mr. HULSHOF (for himself, Mr. POMEROY, Mr. NUSSLE, and Mr. LEWIS of Kentucky):

H.R. 2498. A bill to amend the Internal Revenue Code of 1986 to extend the tax incentives for the use of biodiesel through 2010; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Mr. KING of New York, Mr. ISRAEL, Mr. FOSSELLA, Mrs. LOWEY, Mr. TOWNS, Mr. ACKERMAN, Mr. OWENS, Mr. HINCHY, Mr. SERRANO, and Mrs. MCCARTHY):

H.R. 2499. A bill to provide that members of the National Guard who served in the counties declared Federal disasters areas in response to the September 11, 2001, terrorist attacks on the United States, and who served under State duty so that they could immediately assist in the response to the terrorist attacks should have that service counted as Federal active duty for purposes of military retirement credit under chapter 1223 of title 10, United States Code; to the Committee on Armed Services.

By Mr. MARKEY:

H.R. 2500. A bill to restore the jurisdiction of the Consumer Product Safety Commission over amusement park rides which are at a fixed site, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCRERY:

H.R. 2501. A bill to suspend temporarily the duty on Cyclopropanecarboxylic acid, 3-(2-chloro-3,3-trifluoro-1-propenyl)-2,2-imethyl-, (2-methyl(1,1'-biphenyl)-3-yl)methyl ester, (z)-; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2502. A bill to suspend temporarily the duty on Phosphonic acid (2-chloroethyl) (Ethephon); to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2503. A bill to suspend the duty on Iprodione; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2504. A bill to suspend temporarily the duty on 2-Cyclohexen-1-one, and 2-(1-((3-chloro-2-propenyl)oxy)imino) propyl)-5-(2-ethylthio) propyl)-3-hydroxy (Clethodim); to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2505. A bill to suspend temporarily the duty on Benzoic acid, o- and ((3-(4,6-dimethyl-2-pyrimidinyl)-ureido)sulfonyl)-, methylester (Sulfometuron methyl); to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2506. A bill to suspend temporarily the duty on Cyclopropanecarboxylic acid, 3-(2,2-Dichlorovinyl)-2,2-dimethyl-, 3-phenoxybenzyl ester, (+)-, (cis,trans)-; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2507. A bill to suspend temporarily the duty on Benzoic acid, 2-(((4-methoxy-6-methyl-1,3,5-triazin-2-yl)amino)-carbonyl)amino)sulfonyl-, methyl ester; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. HOLT, Mr. VAN HOLLEN, Mr. PAYNE, Mrs. MCCARTHY, Mr. RYAN of Ohio, Mr. OWENS, Mr. HINOJOSA, Mr. KILDEE, Mr. STARK, Mr. KENNEDY of Rhode Island, Mr. CONYERS, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 2508. A bill to amend the Higher Education Act of 1965 to improve the ability of foster care youths to attend and succeed in higher education; to the Committee on Education and the Workforce.

By Ms. NORTON (for herself, Mr. MORAN of Virginia, Mr. TOM DAVIS of Virginia, Mr. GRIJALVA, Mr. WYNN, Mr. VAN HOLLEN, Mr. BRADY of Pennsylvania, and Mr. MARKEY):

H.R. 2509. A bill to amend the Federal Water Pollution Control Act and the Water Resources Development Act of 1992 to provide for the restoration, protection, and enhancement of the environmental integrity and social and economic benefits of the Anacostia Watershed in the State of Maryland and the District of Columbia; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE:

H.R. 2510. A bill to ensure that the goals of the Dietary Supplement Health and Education Act of 1994 are met by authorizing appropriations to fully enforce and implement such Act and the amendments made by such Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAUL (for himself, Mr. HOLT, Ms. SLAUGHTER, and Ms. HERSETH):

H.R. 2511. A bill to postpone the 2005 round of defense base closure and realignment until the completion of certain specified activities by the Secretary of Defense and the Secretary of Homeland Security; to the Committee on Armed Services.

By Mr. REGULA (for himself, Mr. MARKEY, and Mr. GILLMOR):

H.R. 2512. A bill to provide for the establishment of a Digital Opportunity Investment Trust; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYUN of Kansas (for himself and Mr. FEENEY):

H.R. 2513. A bill to amend the Immigration and Nationality Act to prescribe the oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States; to the Committee on the Judiciary.

By Mr. SIMPSON:

H.R. 2514. A bill to promote the economic development and recreational use of National Forest System lands and other public lands in central Idaho, to designate the Boulder-White Cloud Management Area to ensure the continued management of certain National Forest System lands and Bureau of Land Management lands for recreational and grazing use and conservation and resource protection, to add certain National Forest System lands and Bureau of Land Management lands in central Idaho to the National Wilderness Preservation System, and for other purposes; to the Committee on Resources.

By Mr. STRICKLAND:

H.R. 2515. A bill to authorize an annual appropriation of \$10,000,000 for mental health courts through fiscal year 2011; to the Committee on the Judiciary.

By Mr. SWEENEY:

H.R. 2516. A bill to establish standards for the testing of prohibited substances and methods for certain professional baseball, basketball, football, and hockey players; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ (for herself, Mr. SERRANO, Mr. OWENS, Mr. VAN HOLLEN, and Mr. MORAN of Virginia):

H.R. 2517. A bill to amend chapters 83 and 84 of title 5, United States Code, to provide for the indexation of deferred annuities; to provide that a survivor annuity be provided to the widow or widower of a former employee who dies after separating from Government service with title to a deferred annuity under the Civil Service Retirement

System but before establishing a valid claim therefor, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOOZMAN (for himself and Ms. HERSETH):

H. Con. Res. 159. Concurrent resolution recognizing the sacrifices being made by the families of members of the Armed Forces and supporting the designation of a week as National Military Families Week; to the Committee on Armed Services.

By Mr. DAVIS of Illinois (for himself, Mr. BOSWELL, Mr. OWENS, Ms. CORBINE BROWN of Florida, Ms. KILPATRICK of Michigan, Mr. HASTINGS of Florida, Mr. PAYNE, Mr. BUTTERFIELD, Mr. VAN HOLLEN, Mr. MCDERMOTT, Mr. WATT, Mrs. CHRISTENSEN, Mr. DOGGETT, Mr. GRIJALVA, Mrs. JONES of Ohio, and Mr. HONDA):

H. Con. Res. 160. Concurrent resolution recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of Congress that history should be regarded as a means for understanding the past and solving the challenges of the future; to the Committee on Government Reform.

By Mr. DAVIS of Illinois:

H. Con. Res. 161. Concurrent resolution authorizing the use of the Capitol Grounds for an event to commemorate the 10th Anniversary of the Million Man March; to the Committee on Transportation and Infrastructure.

By Mr. SAXTON (for himself, Mr. MENENDEZ, and Mr. MCCOTTER):

H. Con. Res. 162. Concurrent resolution expressing the sense of Congress that the ongoing nuclear efforts of the Islamic Republic of Iran constitute a threat to the national security of the United States and to international peace and security; to the Committee on International Relations.

By Mr. CONYERS (for himself, Ms. JACKSON-LEE of Texas, Ms. ESHOO, Mr. FILNER, Mr. KUCINICH, Mr. MEEHAN, Mr. PASCARELL, and Mr. SERRANO):

H. Res. 288. A resolution expressing the sense of the House of Representatives condemning bigotry and religious intolerance, and recognizing that holy books of every religion should be treated with dignity and respect; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself, Mr. BILIRAKIS, Mr. CAPUANO, Mr. BONILLA, and Mr. BRADLEY of New Hampshire):

H. Res. 289. A resolution supporting the goals and ideals of National Health Center Week in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and for other purposes; to the Committee on Government Reform.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. PALLONE, Mr. PAYNE, Mr. FOLEY, Ms. NORTON, Ms. WATSON, Mr. CROWLEY, and Mr. MCGOVERN):

H. Res. 290. A resolution recognizing and appreciating the historical significance and the heroic human endeavor and sacrifice of the people of Crete during World War II and commending the PanCretan Association of America; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 21: Mr. SHUSTER.
H.R. 22: Mr. SESSIONS, Mr. WILSON of South Carolina, and Mr. THOMPSON of California.
H.R. 25: Mr. HEFLEY.
H.R. 36: Mr. LATHAM.
H.R. 63: Mrs. LOWEY.
H.R. 65: Mr. TIBERI.
H.R. 98: Mr. HINOJOSA.
H.R. 215: Mr. KILDEE.
H.R. 284: Mr. CLEAVER and Mr. PRICE of North Carolina.
H.R. 297: Mr. BAIRD and Mr. BILIRAKIS.
H.R. 302: Mr. DAVIS of Illinois and Mrs. LOWEY.
H.R. 303: Mr. BOREN, Mr. DELAHUNT, Mr. GUTIERREZ, Ms. JACKSON-LEE of Texas, Mr. MURTHA, and Mr. HINCHEY.
H.R. 311: Mr. BRADY of Pennsylvania.
H.R. 312: Mr. UDALL of Colorado, Mr. HINOJOSA, Mrs. JONES of Ohio, and Mr. KUCINICH.
H.R. 313: Mr. BONNER.
H.R. 314: Mr. BONNER.
H.R. 333: Mr. MCGOVERN, Mr. HOLDEN, and Mrs. CHRISTENSEN.
H.R. 363: Mr. SANDERS, Mr. BECERRA, and Mr. CLEAVER.
H.R. 371: Mr. TANNER and Mr. DAVIS of Tennessee.
H.R. 373: Mr. LARSEN of Washington.
H.R. 389: Mr. ALLEN.
H.R. 398: Mr. PAYNE, Mr. SHERMAN, Mr. FARR, Ms. WATSON, Mr. GRIJALVA, Mr. ANDREWS, Ms. WASSERMAN SCHULTZ, and Mr. BROWN of Ohio.
H.R. 438: Mr. COSTA.
H.R. 527: Mr. SHUSTER.
H.R. 552: Mr. INGLIS of South Carolina.
H.R. 559: Mr. COSTELLO.
H.R. 583: Mr. BARROW.
H.R. 596: Mr. GALLEGLY and Mr. KING of New York.
H.R. 602: Ms. HARRIS.
H.R. 615: Mr. ADERHOLT.
H.R. 633: Mr. GEORGE MILLER of California.
H.R. 670: Ms. ZOE LOFGREN of California.
H.R. 676: Ms. JACKSON-LEE of Texas, Mr. WAXMAN, and Mr. THOMPSON of Mississippi.
H.R. 688: Mr. BRADLEY of New Hampshire.
H.R. 691: Mr. CARDIN.
H.R. 712: Mr. STUPAK and Mr. BISHOP of Utah.
H.R. 747: Mr. HIGGINS, Mr. KUHL of New York, Mr. BISHOP of Georgia, and Mr. ANDREWS.
H.R. 765: Mrs. WILSON of New Mexico.
H.R. 772: Mr. FRANK of Massachusetts, Mr. CHANDLER, and Mr. BOREN.
H.R. 791: Mrs. CAPPS.
H.R. 800: Mr. REICHERT.
H.R. 801: Mrs. JONES of Ohio.
H.R. 815: Mr. BRADLEY of New Hampshire.
H.R. 819: Mr. SOUDER and Mr. MICHAUD.
H.R. 869: Mr. PETERSON of Pennsylvania.
H.R. 887: Mr. BARROW and Mr. HASTINGS of Florida.
H.R. 910: Ms. KAPTUR, Mr. WAXMAN, Mr. HINCHEY, Mr. BISHOP of Georgia, Mr. McHUGH, Mr. LARSON of Connecticut, and Mr. LANGEVIN.
H.R. 923: Mr. WOLF.
H.R. 930: Mr. NEY, Mr. LEWIS of Georgia, Mr. BURGESS, Mr. TIBERI, Mr. JENKINS, and Mr. CARDOZA.
H.R. 994: Mr. NEY, Mr. ETHERIDGE, Ms. WOOLSEY, Mr. HERGER, Mr. OLVER, Mr. BASS, Mr. SCHIFF, Mr. DOGGETT, Mr. UDALL of Colorado, Mr. RAMSTAD, Mr. RUPPERSBERGER, Mr. WELLER, Mr. ISRAEL, Mr. DEAL of Georgia, Mr. GOODLATTE, Mr. FATTAH, and Mr. EDWARDS.
H.R. 997: Mr. INGLIS of South Carolina and Mr. MCHENRY.
H.R. 998: Mr. STUPAK, Mr. TANNER, Mr. NEAL of Massachusetts, and Mr. RADANOVICH.
H.R. 1071: Mr. MARIO DIAZ-BALART of Florida and Ms. HARMAN.
H.R. 1108: Mr. BRADY of Pennsylvania and Mr. KILDEE.
H.R. 1120: Ms. SLAUGHTER, Mr. SANDERS, and Mr. HOLT.
H.R. 1131: Mr. PAYNE, Mr. LANTOS, Mr. BOOZMAN, Mr. BRADLEY of New Hampshire, Mr. MCCOTTER, Mr. ENGEL, Mr. MCGOVERN, Mr. RYAN of Wisconsin, Mrs. JO ANN DAVIS of Virginia, Mr. GRIJALVA, Ms. BALDWIN, Mr. LOBIONDO, and Mr. WOLF.
H.R. 1133: Mr. BURTON of Indiana, Mr. HASTINGS of Florida, Mr. CROWLEY, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. McNULTY.
H.R. 1142: Mr. MCCOTTER.
H.R. 1175: Mr. BARROW.
H.R. 1222: Ms. BALDWIN, Mr. TOWNS, and Mr. BARROW.
H.R. 1223: Mr. MCCOTTER.
H.R. 1227: Mr. FRANK of Massachusetts, Mr. ACKERMAN, Ms. BALDWIN, Mr. SCHIFF, Mr. WAXMAN, and Mr. UDALL of Colorado.
H.R. 1245: Mr. LARSEN of Washington.
H.R. 1246: Mr. LARSON of Connecticut, Mr. GONZALEZ, Mr. KIRK, Mr. LAHOOD, and Mr. GUTIERREZ.
H.R. 1252: Mr. KIRK and Mr. HINOJOSA.
H.R. 1288: Mr. BACA, Mr. UPTON, Mr. PENCE, Ms. HARRIS, and Mr. SIMPSON.
H.R. 1290: Mr. SMITH of New Jersey.
H.R. 1312: Mr. ACKERMAN, Mr. GEORGE MILLER of California, and Ms. ROYBAL-ALLARD.
H.R. 1345: Mr. RYAN of Wisconsin, Mr. PITTS, Mr. ABERCROMBIE, and Mr. HINOJOSA.
H.R. 1352: Mr. MEEK of Florida, Ms. ROYBAL-ALLARD, Mr. BARROW, Mr. NADLER, Mr. THOMPSON of Mississippi, Ms. MCKINNEY, Ms. MCCOLLUM of Minnesota, Mr. MORAN of Virginia, Ms. LEE, Mr. MARKEY, Ms. BEAN, Mr. HIGGINS, Mr. DOGGETT, and Mr. PRICE of North Carolina.
H.R. 1355: Mr. AL GREEN of Texas and Mr. BOREN.
H.R. 1409: Mr. DOGGETT.
H.R. 1415: Mr. CASE and Mrs. MALONEY.
H.R. 1424: Mr. PLATTS, Mr. GORDON, and Mr. BACHUS.
H.R. 1443: Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mrs. LOWEY, Mr. MOORE of Kansas, and Mr. BRADY of Pennsylvania.
H.R. 1447: Mr. OLVER and Mr. WEXLER.
H.R. 1469: Mr. REHBERG.
H.R. 1474: Mr. UDALL of Colorado.
H.R. 1482: Mr. LIPINSKI.
H.R. 1498: Mr. BROWN of South Carolina and Mr. BARRETT of South Carolina.
H.R. 1499: Mr. FITZPATRICK of Pennsylvania, Mr. HAYES, and Mrs. CAPITO.
H.R. 1505: Mr. BOREN.
H.R. 1538: Mr. ENGEL.
H.R. 1561: Ms. BEAN.
H.R. 1582: Mr. KILDEE, Mr. LATHAM, and Mr. TIERNEY.
H.R. 1595: Mr. OWENS, Mr. BERMAN, Ms. ROYBAL-ALLARD, Mr. GONZALEZ, and Mr. MCDERMOTT.
H.R. 1615: Mr. CASE.
H.R. 1634: Mr. MOORE of Kansas, Mr. COX, Ms. ZOE LOFGREN of California, Mr. DOYLE, Mr. SESSIONS, and Mr. YOUNG of Alaska.
H.R. 1636: Ms. ZOE LOFGREN of California.
H.R. 1651: Mr. BAKER, Mr. SKELTON, Mr. TERRY, Mr. CLAY, Mrs. EMERSON, Mr. DEAL of Georgia, Mr. RYUN of Kansas, Mr. MORAN of Kansas, Mr. HULSHOF, Mr. GRAVES, Mr. BONNER, and Mr. BUTTERFIELD.
H.R. 1652: Mr. WAXMAN.
H.R. 1696: Mr. MEEHAN.
H.R. 1697: Ms. LEE, Ms. JACKSON-LEE of Texas, Ms. LINDA T. SANCHEZ of California, Ms. MILLENDER-MCDONALD, Mr. BUTTERFIELD, Mr. OWENS, Mr. WAXMAN, Ms. WOOLSEY, Mr. PAYNE, and Mr. BOSWELL.
H.R. 1708: Mr. MCINTYRE, Mrs. DAVIS of California, and Mr. WHITFIELD.
H.R. 1712: Mr. CASE, Mr. GRIJALVA, Mr. TOWNS, and Mr. OWENS.
H.R. 1719: Ms. DEGETTE.
H.R. 1729: Mr. CONWAY.
H.R. 1736: Mr. PITTS and Mr. FORBES.
H.R. 1749: Mr. HEFLEY, Mr. GINGREY, Mr. CALVERT, Mr. LINDER, and Mr. JENKINS.
H.R. 1772: Mr. MILLER of Florida and Mr. SESSIONS.
H.R. 1816: Mr. RYUN of Kansas and Mr. HAYWORTH.
H.R. 1835: Ms. HOOLEY and Mrs. JONES of Ohio.
H.R. 1871: Mr. WOLF, Mr. COX, and Mr. CALVERT.
H.R. 1898: Mrs. WILSON of New Mexico, Mrs. CUBIN, and Mr. LAHOOD.
H.R. 1950: Mrs. JOHNSON of Connecticut and Mr. PLATTS.
H.R. 1951: Mr. ISSA.
H.R. 1957: Mr. CANTOR.
H.R. 1973: Mr. MCDERMOTT.
H.R. 2000: Mr. COSTELLO.
H.R. 2011: Mr. WAXMAN, Mr. CASE, Mr. FARR, and Mr. LANTOS.
H.R. 2014: Mr. CONAWAY and Mr. THOMPSON of Mississippi.
H.R. 2018: Mr. MICHAUD and Mr. SHIMKUS.
H.R. 2034: Mr. LEWIS of Kentucky, Mr. REHBERG, Mr. MCCAUL of Texas, Mr. BOUSTANY, Mr. OTTER, Miss MCMORRIS, Mr. SIMMONS, and Mr. SALAZAR.
H.R. 2046: Mr. WOLF and Ms. BERKLEY.
H.R. 2060: Mr. NADLER, Mr. EDWARDS, Mr. FATTAH, Mr. PAYNE, Ms. DEGETTE, Mr. CASE, Mr. SMITH of Washington, Ms. SLAUGHTER, Mr. MCGOVERN, Mr. RUSH, Mr. WU, Mr. DEFazio, Mr. HASTINGS of Florida, Mr. HONDA, Mrs. DAVIS of California, Mr. TIERNEY, Mr. KUCINICH, Ms. PELOSI, Mr. PALLONE, Ms. ROYBAL-ALLARD, Mr. DAVIS of Illinois, Mr. CLYBURN, Mr. WYNN, Ms. KILPATRICK of Michigan, Mr. JEFFERSON, Mr. FARR, Ms. WOOLSEY, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WEXLER, Mr. ANDREWS, Mr. BLUMENAUER, and Mr. MICA.
H.R. 2097: Mr. YOUNG of Alaska, Mr. WYNN, and Mr. OWENS.
H.R. 2098: Mrs. MCCARTHY, Mr. McNULTY, Mr. DICKS, and Mr. OWENS.
H.R. 2123: Mr. TERRY, Mr. OSBORNE, Mr. TIBERI, Mr. KUHL of New York, and Ms. FOX.
H.R. 2131: Mr. SHAW.
H.R. 2134: Mr. SHERMAN.
H.R. 2216: Mr. WOLF.
H.R. 2229: Mr. AKIN and Mr. RENZI.
H.R. 2231: Mr. BASS, Mrs. CAPPS, Mr. VAN HOLLEN, Mrs. MCCARTHY, Mr. WOLF, Ms. ESHOO, Ms. HARMAN, Mr. BERMAN, Mr. WYNN, Mr. McNULTY, Mr. TERRY, Mr. KILDEE, Mr. DICKS, and Mr. OWENS.
H.R. 2238: Mr. ACKERMAN, Ms. BALDWIN, Ms. BERKLEY, Mr. BOSWELL, Mr. CONYERS, Mr. COOPER, Ms. DELAURO, Mr. EMANUEL, Mr. GONZALEZ, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. HINCHEY, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mrs. JONES of Ohio, Ms. MCCOLLUM of Minnesota, Mr. PASTOR, Mr. RAHAL, Ms. LINDA T. SANCHEZ of California, Mr. SERRANO, Mr. SIMMONS, Ms. SLAUGHTER, Mr. STUPAK, Mr. VAN HOLLEN, Mr. WATT, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, Ms. WATSON, Mr. SMITH of New Jersey, Mrs. CAPPS, Mr. ROSS, and Mr. DAVIS of Florida.
H.R. 2248: Mr. KILDEE.
H.R. 2259: Mr. ISRAEL.
H.R. 2317: Mr. RYAN of Ohio, Mr. STUPAK, Mr. KILDEE, Mr. HINCHEY, Mr. MICHAUD, Ms. HARMAN, and Mr. OTTER.
H.R. 2326: Mr. HAYES and Mr. ETHERIDGE.
H.R. 2327: Ms. PELOSI, Ms. BERKLEY, Mr. GORDON, Mr. WAXMAN, Mr. HASTINGS of Florida, Mr. CLAY, Mr. HINCHEY, Mr. HOLDEN, Mr. UDALL of Colorado, Mr. HIGGINS, Ms. ESHOO, Mrs. TAUSCHER, Mr. LYNCH, Mr. DEFazio, and Mr. CAPUANO.
H.R. 2330: Ms. ROS-LEHTINEN and Ms. PELOSI.
H.R. 2337: Mr. REHBERG.
H.R. 2344: Mr. STRICKLAND.
H.R. 2346: Mr. MCCREY.

H.R. 2354: Mr. PAUL, Ms. GINNY BROWN-WAITE of Florida, and Mr. ABERCROMBIE.

H.R. 2355: Mr. TANCREDI.

H.R. 2357: Mr. SENSENBRENNER and Mr. MARCHANT.

H.R. 2391: Mr. MICHAUD and Ms. BORDALLO.

H.R. 2423: Ms. JACKSON-LEE of Texas and Ms. PRYCE of OHIO.

H.R. 2427: Mr. UDALL of New Mexico, Mr. MICHAUD, Mr. ALLEN, Mr. SCOTT of Georgia, Mr. BRADLEY of New Hampshire, Mr. CARDOZA, Mr. CROWLEY, Mr. HOLT, Mr. CLEAVER, and Mr. PAUL.

H.R. 2429: Mr. CROWLEY and Mrs. MCCARTHY.

H.R. 2458: Ms. FOXX.

H.J. Res. 10: Mr. ROGERS of Alabama.

H.J. Res. 37: Mr. CLYBURN, Mr. FORD, Mr. CLEAVER, Mr. CUELLAR, Mr. REYES, Ms. MATSUI, Ms. HOOLEY, Mrs. BIGGERT, Mr. KANJORSKI, Mr. SPRATT, and Mr. BISHOP of New York.

H.J. Res. 39: Mr. LEWIS of Kentucky and Mr. RADANOVICH.

H. Con. Res. 40: Mr. GORDON.

H. Con. Res. 89: Ms. WATSON and Mr. SHERMAN.

H. Con. Res. 137: Mr. MENENDEZ.

H. Con. Res. 149: Mr. MARSHALL, Ms. HARMAN, and Mr. MURPHY.

H. Con. Res. 156: Mr. NEY, Mr. MCHENRY, Mr. PITTS, Mr. DOOLITTLE, Mr. FEENEY, Mr. GOODE, Mr. HENSARLING, Mr. SODREL, Mr. GINGREY, Mr. KING of Iowa, Mr. BURTON of Indiana, Mr. PEARCE, Mr. BONILLA, Mr. DELAY, Mr. SMITH of Texas, Mr. GOHMERT, Mr. CONAWAY, Mr. SAM JOHNSON of Texas, Mr. SESSIONS, Mr. MARCHANT, Mr. CULBERSON, Mr. MCCAUL of Texas, Mr. SESSIONS, Mr. MARCHANT, Mr. CULBERSON, Mr. MCCAUL of Texas, and Mr. CARTER.

H. Res. 30: Mr. BROWN of Ohio, Mr. DAVIS of Illinois, Mr. CONYERS, and Mr. NEAL of Massachusetts.

H. Res. 121: Mr. FEENEY, Mr. KING of Iowa, Mr. HENSARLING, Mr. PENCE, Mr. GINGREY, Mr. RYAN of Wisconsin, and Mr. CHOCOLA.

H. Res. 158: Mr. HINCHEY.

H. Res. 166: Mr. PASTOR and Mrs. MCCARTHY.

H. Res. 196: Mr. AL GREEN of Texas and Mr. MENENDEZ.

H. Res. 243: Mr. FITZPATRICK of Pennsylvania.

H. Res. 252: Mr. CONAWAY and Mr. GOODE.

H. Res. 261: Mr. FRANK of Massachusetts, Mr. ENGLISH of Pennsylvania, and Mr. AL GREEN of Texas.

H.R. 272: Mr. LEACH, Ms. WATSON, Ms. HARMAN, Mr. FITZPATRICK of Pennsylvania, Mr. WEXLER, Mr. SHERMAN, Mr. SCHIFF, Mr. MIL-

LER of North Carolina, Mr. MCGOVERN, and Mr. OWENS.

H.R. 273: Mr. KING of New York, Mr. HASTINGS of Florida, and Mr. WALSH.

H.R. 280: Mr. ISSA, Mr. CHABOT, Mr. CALVERT, Mr. SESSIONS, Mr. WAXMAN, Mr. AL GREEN of Texas, Mr. BURTON of Indiana, Mr. BLUNT, Mrs. KELLY, Mr. WAMP, Mr. SERRANO, Mr. RYAN of Ohio, Mr. COBLE, Mr. TIBERI, Mr. YOUNG of Alaska, Mr. FRELINGHUYSEN, Mr. REGULA, Mr. SMITH of New Jersey, Mr. PRICE of Georgia, Mr. FERGUSON, Mr. WALSH, Mr. GALLEGLEY, Mr. SULLIVAN, Mr. DOOLITTLE, Mr. ROYCE, Mr. KIRK, Mr. BONNER, Mr. WALDEN of Oregon, Mr. WELLER, Mr. FOLEY, Mr. GILCHREST, Mr. GERLACH, Mr. SIMPSON, Mr. TERRY, Mr. SHAYS, Mr. SIMMONS, Mrs. MCCARTHY, Mr. McNULTY, Mr. HASTINGS of Florida, Ms. ZOE LOFGREN of California and Mr. HONDA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 415: Mr. MCGOVERN.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 1, May 18, 2005, by Ms. HOOLEY, on House Resolution 276, was signed by the following Members: Darlene Hooley, Steve Israel, Bennie G. Thompson, Rosa L. DeLauro, Louise McIntosh Slaughter, Artur Davis, Eddie Bernice Johnson, Dennis A. Cardoza, Corrine Brown, Dennis Moore, Tom Udall, Stephen F. Lynch, Allyson Y. Schwartz, Dale E. Kildee, Michael R. McNulty, Martin T. Meehan, Hilda L. Solis, Barbara Lee, G. K. Butterfield, Emanuel Cleaver, Ruben Hinojosa, Doris O. Matsui, Adam B. Schiff, Loretta Sanchez, Debbie Wasserman Schultz, Chris Van Hollen, Brian Higgins, Timothy H. Bishop, Mike Ross, Shelley Berkley, Russ Carnahan, Lynn C. Woolsey, Michael M. Honda, John Barrow, John F. Tierney, Major R. Owens, Gwen Moore, Julia Carson, Nydia M. Velazquez, Stephanie Herseth, Henry Cuellar, Joe Baca, Daniel Lipinski, Carolyn McCarthy, Jose E. Serrano, Sanford D. Bishop, Jr., Solomon P. Ortiz, John W. Olver, Robert A. Brady, Steny H. Hoyer, Gene Green, Sheila Jackson-Lee, James P. McGovern, Kendrick B. Meek,

Peter A. DeFazio, Wm. Lacy Clay, Diana DeGette, Lloyd Doggett, Grace F. Napolitano, Benjamin L. Cardin, Carolyn B. Maloney, David R. Obey, Joseph Crowley, Alcee L. Hastings, Diane E. Watson, Ron Kind, Charles A. Gonzalez, Dan Boren, Jim Cooper, Michael H. Michaud, Betty McCollum, Danny K. Davis, Rick Larsen, Lucille Roybal-Allard, Barney Frank, Ellen O. Tauscher, Ted Strickland, Lois Capps, Donald M. Payne, Earl Blumenauer, Thomas H. Allen, Marcy Kaptur, Susan A. Davis, Ben Chandler, Tim Ryan, Sander M. Levin, James P. Moran, Robert C. Scott, Tammy Baldwin, Bernard Sanders, Adam Smith, Nancy Pelosi, Michael F. Doyle, John Conyers, Jr., Ed Case, Carolyn C. Kilpatrick, Albert Russell Wynn, Henry A. Waxman, James R. Langevin, Gary L. Ackerman, Raul M. Grijalva, Tom Lantos, James E. Clyburn, Robert Wexler, Linda T. Sanchez, David Wu, Vic Snyder, James L. Oberstar, Brian Baird, Xavier Becerra, Sherrod Brown, Patrick J. Kennedy, Nick J. Rahall II, Jerrold Nadler, Anna G. Eshoo, Bart Gordon, Maurice D. Hinchey, Leonard L. Boswell, David E. Price, Fortney Pete Stark, Lane Evans, Michael E. Capuano, Bart Stupak, Bob Filner, John D. Dingell, Allen Boyd, Anthony D. Weiner, John T. Salazar, William D. Delahunt, Janice D. Schakowsky, Jim Costa, Tim Holden, George Miller, Howard L. Berman, Charles B. Rangel, Jim Davis, L. A. Dutch Ruppersberger, Rahm Emanuel, Sam Farr, Dennis J. Kucinich, Jim McDermott, Neil Abercrombie, Nita A. Lowey, Paul E. Kanjorski, Al Green, Silvestre Reyes, Edward J. Markey, Ed Pastor, Jim Marshall, Elijah E. Cummings, Robert E. (Bud) Cramer, Jr., and Chaka Fattah.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2361

OFFERED BY: Mr. DOOLITTLE

AMENDMENT No. 20: At the end of the bill (before the short title), add the following new section:

SEC. 4 ____ None of the funds made available in this Act for the Department of the Interior may be used to implement the first proviso under the heading "UNITED STATES FISH AND WILDLIFE SERVICE—LAND ACQUISITION".